

COUNCIL PROCEEDINGS

MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, March 16, 1999
Tuesday, 9:00 A.M.

The City Council met in regular session with Mayor Knight in the Chair. Council Members Cole, Gale, Kamen, Lambke, Rogers; present. *Council Member Ferris absent.

Chris Cherches, City Manager; Gary Rebenstorf, Director of Law; Pat Burnett, City Clerk; present.

The invocation was given by Council Member Gale.

The pledge of allegiance to the flag was participated in by the Council Members, staff, and guests.

Minutes -- approved The minutes of the regular meeting of March 2, 1999, were approved 6 to 0. (Ferris absent)

AWARDS AND PRESENTATIONS

PROCLAMATIONS Mayor Knight presented the Proclamations that were previously approved.

UNFINISHED BUSINESS

CU-498 **CU-498 - CONDITIONAL USE REQUEST TO ALLOW VEHICLE SALES ON PROPERTY LOCATED NORTH OF HARRY AND EAST OF GEORGE WASHINGTON BOULEVARD.**
(Formerly District III, now District I)

Marvin Krout Director of Planning reviewed the Item.

Agenda Report No. 99-040 A.

MAPC Recommendation: December 17, 1998; Deny the request.
February 11, 1999; Approve the request subject to conditions.
Staff Recommendation: Deny the request.
CPO Recommendation: Deny.

The applicant is requesting a conditional use to allow vehicle sales on a 9,000 square foot property located north of Harry and east of George Washington Boulevard. This platted tract is zoned ALC@ Limited Commercial. The sale of vehicles and equipment with outside display/storage requires a Conditional Use within the ALC@ Limited Commercial Zoning District.

The applicant has stated that he currently operates an upholstery repair shop at this location. Through his business dealings with customers and also car dealerships he acquires vehicles. The applicant has stated he cleans and repairs these vehicles, and then places them on his lot for sale. (No body or fender work is conducted on-site.) Central

COUNCIL PROCEEDINGS

Inspection has notified the applicant he is in violation of the Unified Zoning Code and has required him to obtain a Conditional Use to allow vehicle sales.

The applicant has stated that the landscaped area along Harry just south of the existing building, as shown on the site plan, would be used for the display of vehicles, and no more than three vehicles would be displayed at any one time.

The Unified Zoning Code requires auto businesses to provide customer parking at the rate of two spaces for the first 10,000 square feet and one space per each additional 10,000 square feet of lot area used for vehicle sales, display, or storage purposes and one space per 500 square feet of building area for employee parking. The site plan shows approximately 494 square feet for vehicle sales, display and storage which will require a total of two spaces for customer and employee parking. The building (3,500 square feet) which will be used as an office for the vehicle and equipment sales operation (500 square feet) and the existing upholstery business (1,500 square feet) will require an additional 9 parking spaces (one for the office and eight for the upholstery business). There is also 1,500 square feet used for storage of the upholstery business which would require one additional parking space. Therefore, this site will be required to have 12 spaces for employee and customer parking.

The applicant is unable to meet the parking requirement on-site, and although the owner of the apartment to the north is agreeable to leasing spaces, that development does not have Aexcess@ spaces to offer. Therefore, he would be required to file for a variance to reduce the required parking spaces.

There are commercial developments located to the south and east of this site. An apartment complex is north of the site. Across George Washington Boulevard to the west is a restaurant. Residential properties are located north of this restaurant along George Washington Boulevard.

Staff recommended denial of this request, due to the adopted policy to limit auto sales lots to limited areas of the City where these uses are well-established already.

CPO (3) voted to deny this request at the November 12th meeting. The applicant presented his request to the CPO. Two citizens voiced opposition to this request. Their concerns included the contention that when property is purchased, it should be put to use that is compatible with site constraints; the applicant intends to intensify the use of the property beyond what the site can accommodate; Schweiter Addition is beautiful and more commercialization will hurt the neighborhood; 35 percent of the overall business being vehicle sales is not an incidental use, but is a significant increase in the intensity of activity; the applicant will increase the number of vehicles for sale and more commercialization of Harry Street is not wanted.

At the December 17th MAPC hearing, the applicant=s agent discussed this request. After discussion, the MAPC failed (6-6) on a motion to approve. A failure to recommend approval is considered to be a recommendation of denial of the application.

Conditional Use requests are not heard by the City Council unless appealed by the owner or an owner of property within 200 feet of the application area. This appeal is required by the Unified Zoning Code to be done in a timely manner, which has been done by the applicant. The applicant=s appeal letter is the same information provided verbally to the Metropolitan Area Planning Commission at their hearing.

The City Council on January 12th referred this request back to MAPC to be reheard.

At the February 11th MAPC hearing, the applicant=s agent spoke about the request. The

COUNCIL PROCEEDINGS

Planning Commission failed to approve a motion to deny the request. A second motion to approve the request subject to the conditions in the staff report and also a three year time limit be placed on the request failed 8-5. Finally, a motion to approve the request was adopted 8-5.

- Council Member Lambke Council Member Lambke said he could see no detriment to a few cars that would not change the area at all.
- Mayor Knight Mayor Knight spoke against provisional expansion in an area he does not support.
- Council Member Cole Council Member Cole said this is a policy issue. When these issues are in close proximity to struggling neighborhoods, a negative signal is sent.
- At a later time, the City Council should look at a way to deal with that as a policy issue.
- Motion -- Rogers moved that having reviewed the record of hearing before the MAPC and in accordance with Policy No. 10 of the MAPC previously adopted by this Board, and having reviewed the factors contained therein and the factors stated by the MAPC, the recommendation of the MAPC, subject to conditions and findings, be approved.
- carried Motion carried 6 to 0. (Ferris absent)

COUNCIL PROCEEDINGS

NEW BUSINESS

PETITION TO PAVE BARBARA PETITION TO PAVE BARBARA, FROM SENECA TO OSAGE. (District IV)

Mike Lindebak City Engineer reviewed the Item.

Agenda Report No. 99-210.

The signatures on the Petition represent 35 of 55 (63.6%) resident owners of 52.7% of the improvement district area. On February 25, 1999, CPO Council 4 considered the Petition. The Council voted 5-0 to recommend approval.

Barbara Street, between Seneca and Osage, is a sand road that provides access to an area comprised predominately of single-family homes.

The estimated cost of the project is \$178,000 with \$165,000 assessed to the improvement district and \$13,000 paid by the City. The proposed method of assessment is the square foot basis. The estimated assessment rate is \$00.21 per square foot of ownership.

Mayor Knight Mayor Knight inquired if anyone wished to be heard.

Paul Ward Paul Ward, 2857 South Walnut, said all properties bordering the street had signed the petition. The paving is needed.

Motion -- Gale moved that the Petition be approved and the Resolution be adopted; and the Staff Screening and Selection Committee be authorized to select a design engineer. Motion carried 6 to 0. (Ferris absent)

-- carried

RESOLUTION NO. R-99-089.

Resolution of findings of advisability and Resolution authorizing improving of Barbara, from the east line of Seneca to the west line of Osage, Project No. 472-83086 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Gale moved that the Resolution be adopted. Motion carried 6 to 0. (Ferris absent) Yeas: Cole, Gale, Kamen, Lambke, Rogers, Knight.

PETITION TO PAVE WALNUT PETITION TO PAVE WALNUT, NORTH OF BARBARA. (District IV)

Mike Lindebak City Engineer reviewed the Item.

Agenda Report No. 99-211.

The signatures on the Petition represent 10 of 16 (62.5%) resident owners of 59.6% of the improvement district area. On February 25, 1999, CPO Council 4 considered the Petition. The Council voted 5-0 to recommend approval.

Walnut Street, north of Barbara, is a sand road that provides access to an area that is comprised predominantly of single-family homes.

The estimated cost of the project is \$72,000 with the total assessed to the improvement district. The proposed method of assessment is the front foot basis. The estimated assessment rate is \$68.00 per front foot of ownership

Mayor Knight Mayor Knight inquired if anyone wished to be heard.

Paul Ward Paul Ward, 2857 South Walnut, said the paving is much needed to get rid of a water

COUNCIL PROCEEDINGS

problem. Both projects should be done at the same time.

Motion --

-- carried

Gale moved that the Petition be approved and the Resolution be adopted; and the Staff Screening and Selection Committee be authorized to select a design engineer. Motion carried 6 to 0. (Ferris absent)

RESOLUTION NO. R-99-090

Resolution of findings of advisability and Resolution authorizing improving of Walnut from the north line of Barbara to 458' north of Barbara, Project No. 472-83085 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Gale moved that the Resolution be adopted. Motion carried 6 to 0. (Ferris absent) Yeas: Cole, Gale, Kamen, Lambke, Rogers, Knight.

COUNCIL PROCEEDINGS

PETITION TO PAVE RITA PETITION TO PAVE RITA AND KESSLER, FROM WEST STREET TO JEWELL. (District IV)

AND KESSLER

Mike Lindebak City Engineer reviewed the Item.

Agenda Report No. 99-212.

The signatures on the Petition represent 1 of 3 (33.3%) resident owners of 55% of the improvement district area. On February 25, 1999, CPO Council 4 considered the Petition. The Council voted 5-0 to recommend approval.

Rita and Kessler, between West Street and Jewell, is a sand road that provides access to an industrial area.

The estimated cost of the project is \$172,000 with the total assessed to the improvement district. The proposed method of assessment is the square foot basis. The estimated assessment rate is \$00.36 per square foot of ownership.

Mayor Knight Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion -- Gale moved that the Petition be approved and the Resolution be adopted; and the Staff Screening and Selection Committee be authorized to select a design engineer. Motion carried 6 to 0. (Ferris absent)

-- carried

RESOLUTION NO. R-99-091

Resolution of findings of advisability and Resolution authorizing improving of Rita from the east line of West Street to Kessler, and Kessler from Rita to the south line of Jewell, project No. 472-83083 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Gale moved that the Resolution be adopted. Motion carried 6 to 0. (Ferris absent) Yeas: Cole, Gale, Kamen, Lambke, Rogers, Knight.

PETITION TO PAVE 19TH PETITION TO PAVE 19TH STREET NORTH, FROM WABASH TO OHIO. (District VI)

Mike Lindebak City Engineer reviewed the Item.

Agenda Report No. 99-213.

The signatures on the Petition represent 2 of 4 (50%) resident owners of 89.5% of the improvement district area. On February 24, 1999, CPO Council 6 considered the Petition. The Council voted 5-0 to recommend approval.

19th Street, between Wabash and Ohio, is a sand road that provides access to an industrial area.

The estimated cost of the project is \$40,000 with the total assessed to the improvement district. The proposed method of assessment is the square foot basis. The estimated assessment rate is \$00.19 per square foot of ownership.

Mayor Knight Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion -- Cole moved that the Petition be approved and the Resolution be adopted; and the Staff Screening and Selection Committee be authorized to select a design

COUNCIL PROCEEDINGS

-- carried

engineer. Motion carried 6 to 0. (Ferris absent)

RESOLUTION NO. R-99-092

Resolution of findings of advisability and Resolution authorizing improving of 19th Street North from the east Line of Wabash to the west line of Ohio, Project No. 472-83082, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Cole moved that the Resolution be adopted. Motion carried 6 to 0. (Ferris absent) Yeas: Cole, Gale, Kamen, Lambke, Rogers, Knight.

COUNCIL PROCEEDINGS

SENECA IMPROVEMENTS IMPROVEMENTS TO SENECA STREET, FROM 31ST STREET SOUTH TO PAWNEE. (District IV)

Mike Lindebak City Engineer reviewed the Item.

Agenda Report No. 99-214.

The Capital Improvement Program includes a project to reconstruct Seneca between 31st Street South and Pawnee (CIP No. MS-9606, Page 79). CPO Council 4 considered the project on February 25, 1999. The Council voted 4-0 to recommend approval.

The project consists of: 1) reconstructing Seneca to five lanes with a center left turn lane, 2) upgrading the existing traffic signals, 3) installing sidewalks on both sides of the street, and 4) landscaping the available right-of-way.

The project specifications require the contractor to maintain access to all adjacent businesses during the course of construction. They are also required to carry at least one lane of traffic flow in each direction at all times.

The estimated project cost is \$1,600,000 with the total funded by the City. The funding source for the City share is General Obligations Bonds.

Mayor Knight Mayor Knight inquired if anyone wished to be heard and no one appeared.

Nick Campbell Nick Campbell suggested equal amounts be taken from each of the east and west sides of the street. The KGE pole could be moved at a cost to KGE instead of taking all of the right-of-way from the east side of the street.

In 1967, Mr. Campbell was told by the City that he had to have a decel lane. No other businesses have had this requirement. The decel lane cost \$3,200 and it will now be lost.

Mike Lindebak City Engineer said the project will improve the safety of Seneca and it is not felt the elimination of the decel lane will have a drastic impact on traffic.

There is sufficient right-of-way in either direction. KGE has indicated a cost of \$325,000 if widened from the west. There is also a gas line at City expense if the street is widened in both directions.

Council Member Gale Council Member Gale said a crown in the road will help with the drainage.

Motion -- Gale moved that the project be approved and the Ordinance be placed on first reading; and that Council Member Gale be authorized to meet with the City Engineer and the owner of Plant Kingdom. Motion carried 6 to 0. (Ferris absent)

C carried

ORDINANCE

An Ordinance declaring Seneca, from 31st Street South to Pawnee (472-83084) to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same, introduced and under the rules laid over.

Council Member Gale left the Bench.

COUNCIL PROCEEDINGS

(District II)

Randy Hoskins

Traffic Engineer reviewed the Item.

Agenda Report No. 99-215.

During investigations surrounding the opening of the gate on Zimmerly near Dalton, three sight distance obstructions were noted in the neighborhood. Two of these were abated, the third, located at the southeast corner of Zimmerly and Longford, was appealed to the Traffic Commission.

The Ordinance requires a clear sight distance triangle at intersections in the interest of traffic safety. The homeowner at 1102 S. Longford planted five evergreen trees (approximately five feet in height) within the sight distance triangle. An abatement notice was sent to the owner on January 12, 1999, requiring the trees to either be trimmed down to a height of 33" or removed. The owner appealed the order of abatement to the Traffic Commission.

Staff recommends that the sight distance obstructions be removed in accordance with the Ordinance. Two other sight obstructions were reported in this neighborhood at

COUNCIL PROCEEDINGS

the same time as this one, both of which were cleared by the property owners. Traffic volumes and accident history do not indicate the need for Stop Signs at this location.

The Traffic Commission reviewed this matter on February 17, 1999. The homeowner made a presentation and requested that a Stop Sign be installed at this T-intersection, which would eliminate the need to remove the trees. During hearings on removing the Zimmerly gate, the Traffic Commission had noted at that time that it would be open to any requests from the neighborhood for additional signing that might result from the opening of the gate. Based on that, it was unanimously recommended that the sight distance obstructions at this location be allowed to remain and that a Stop Sign be installed for northbound Longford.

The cost for installing a Stop Sign is approximately \$100.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --

Kamen moved that the sight obstruction be removed.

Subst. Motion --
-- carried

Knight moved a substitute motion that a stop sign be installed. Substitute motion carried 4 to 1. Kamen - No. (Gale, Ferris; absent)

Council Member Gale present.

IRB - ENVISON, INC.

ISSUANCE OF INDUSTRIAL REVENUE BONDS - ENVISON, INC. (District III)

Allen Bell

Financial Projects Director reviewed the Item.

Agenda Report No. 99-216.

On November 17, 1998, City Council approved a six month Letter of Intent to issue Industrial Revenue Bonds in the amount not-to-exceed \$6 million to Envision, Inc. for acquisition of 10.5 acres of land at Pawnee and Water and the construction of a new training and employment facility designed specifically for people with low vision or no vision. Envision, Inc. is now requesting the City issue its Industrial Revenue Bonds in the amount of \$4,000,000.

Envision's current Wichita facility serves as corporate headquarters and manufactures a variety of products including paper towels, seal-closure plastic bags, t-shirt plastic bags, specialty bags, plastic sheeting, high visibility belts, gun slings, and gun sling adapter kits (for U.S. Department of Defense). These products are manufactured by individuals who are blind or developmentally disabled and may otherwise not be mainstreamed into the Wichita community. Envision also has facilities in Pittsburgh, KS and Kansas City. Envision will employ 95 blind or low vision individuals in the new IRB financed facility.

The uses of bond proceeds are as follows:

USES OF FUNDS

* Project Costs	\$3,920,000	
* Deposit to Bond Reserve Account		\$ 350,000
* Cost of Issuance		<u>\$ 113,000</u>
Total Cost of Project:		\$4,383,000

Envision, Inc. has filed an approved EEO/AA Plan on file with the City's Human Resources Department. The tax-exempt Bonds will be purchased by Davidson Securities and publicly reoffered to investors. The firm of Hinkle, Eberhart and Elkouri, L.L.C. serves as bond

COUNCIL PROCEEDINGS

counsel in the transaction.

Envision, Inc. agrees to pay all costs of issuing the bonds and agrees to pay the City's \$2,500 annual IRB administrative fee for the term of the bonds. Envision, Inc. does not request a tax exemption in conjunction with the expansion project. As a tax-exempt not-for-profit organization, property acquired by Envision is generally exempt from ad valorem taxation.

Bond documents have been prepared by Hinkle, Eberhart, and Elkouri, L.L.C., bond counsel for the project.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --
-- carried

Lambke moved that the Ordinance be placed on first reading; and the Mayor be authorized to sign the necessary documents. Motion carried 6 to 0. (Ferris absent)

ORDINANCE

An Ordinance authorizing issuance of Industrial Revenue Bonds to Envision, Inc., introduced and under the rules laid over.

IRB - WESLEY/LARKSFIELD ISSUANCE OF HEALTH CARE FACILITY REVENUE BONDS - WESLEY RETIREMENT COMMUNITIES, INC. (District II)

Allen Bell

Financial Projects Director reviewed the Item.

Agenda Report No. 99-217.

On January 26, 1998, City Council approved issuance of a Letter of Intent for Health Care Facility Revenue Bonds, in an amount not-to-exceed \$19.5 million, for a six-month period to Wesley Retirement Communities, Inc. for the purpose of refunding the Series III - A & B 1994 Bonds and to finance additional improvements at their campus located at 7373 East 29th Street North.

Larksfield Place, having operated for over ten years, is a not-for-profit comprehensive retirement facility. Retired Persons reside in apartments or villas, and enjoy on-site recreation such as golf, swimming and fishing. Bond proceeds will be used to refund the 1994 Bonds and to purchase, construct, and equip a 4,656 sq. ft. special care wing of the Health Care Center for dementia patients; to finance additional 3,000 sq. ft. of administrative office space and commons area; a 5,000 sq. ft. maintenance building; and cost of issuance.

B.C. Ziegler and Company will underwrite the bond issue. The firm of Hinkle, Eberhart & Elkouri, L.L.C. will serve as bond counsel in the transaction. The sources and uses of bond proceeds are as follows:

ESTIMATED SOURCES OF FUNDS

* 1999 Bond Proceeds	\$18,895,000
* Funds on Deposit with 1994 Trustee	1,810,019
* Equity Contribution	<u>2,669</u>

Total Project Funding: \$20,707,688

COUNCIL PROCEEDINGS

ESTIMATED USES OF FUNDS

* Refunding of 1994 Bonds	\$17,451,881
* Purchase and construction of additions	1,236,292
* Capitalized Interest 2,140	
* Debt Service Reserve Fund	1,442,238
* Costs of Issuance	<u>575,137</u>

Total Not-To-Exceed Cost of Project: \$20,707,688

Wesley Retirement Communities, Inc. currently has an approved EEO/AA Plan on file with the City's Human Resources Department.

Wesley Retirement Communities, Inc. agrees to pay all costs of issuing the bonds and agrees to pay the City's \$2,500 annual IRB administrative fee for the term of the bonds. Wesley Retirement Communities, Inc. is not requesting a tax exemption in conjunction with issuance of Health Care Facility Revenue Bonds.

Bond documents have been prepared by Hinkle, Eberhart & Elkouri, bond counsel for the project. The City Attorney's Office will review and approve the final form of bond documents prior to the issuance of any bonds.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --
-- carried

Kamen moved that the Ordinance be placed on first reading and the Mayor be authorized to sign the necessary documents. Motion carried 6 to 0. (Ferris absent)

ORDINANCE

An Ordinance authorizing the City of Wichita, Kansas, to issue its health care facilities refunding and improvement revenue bonds (Larksfield Place) in the aggregate principal amount of not to exceed \$19,500,000 for the purpose of (1) refunding certain outstanding City of Wichita, Kansas bonds (2) purchasing, acquiring, constructing, furnishing, and equipping certain additions to an existing facility, and (3) paying certain costs of issuance; authorizing the execution of a trust indenture by and between the City and Commerce Bank, Wichita, Kansas, as trustee; authorizing the City to lease the project to Wesley Retirement Communities, Inc.; authorizing execution of a lease between the City and said corporation; approving the form of a guaranty agreement; and authorizing the execution of a bond purchase agreement by and between the City, said corporation, and B.C. Ziegler and Company, as underwriter, introduced and under the rules laid over.

IRB-LEE AEROSPACE, INC. PUBLIC HEARING AND REQUEST FOR LETTER OF INTENT FOR INDUSTRIAL REVENUE BONDS - LEE AEROSPACE, INC. (District II)

Allen Bell

Financial Projects Director reviewed the Item.

Agenda Report No. 99-218.

Lee Aerospace, Inc., located at 8500 E. 32nd Street North, is a local corporation founded in 1989. Lee Aerospace manufactures and repairs acrylic aircraft windows, supplying Boeing, Raytheon, Cessna, and Learjet aircraft. Lee Aerospace is requesting City Council issue a six-month Letter of Intent to issue Industrial Revenue Bonds in an amount not to exceed \$3.5 million for financing an expansion project located at 9232 E. 34th Street North. Lee Aerospace is requesting a ten year 100% tax abatement on all bond-financed property.

COUNCIL PROCEEDINGS

Lee Aerospace has operated for ten years as a manufacturer of aircraft windows for Wichita's aircraft industry. Lee Aerospace uses a unique and precise technique for cutting, routing, and polishing acrylic windows for custom fit for various commercial and private aircraft designs. The proposed project will allow Lee Aerospace to manufacture windshields, cockpit windows, side windows, and laminated cabin windows at the new facility. Currently, the components for making some of these products are brought in from out-of-state. With the new facility, special import will not be required. The new facility will also make possible the manufacture of specialty graphite and kevlar composites. This work is now primarily performed outside the U.S.

Bond proceeds will be used to acquire property and construct a new facility including 30,000 sq. ft. for manufacturing space and 8,000 sq. ft. for office space. Modern equipment will also be purchased with bond proceeds for in-house manufacturing of specialty aircraft windows. Lee Aerospace will more than double employment in the next five years by increasing staff by at least 50 persons. Series A bond proceeds will be used to finance acquisition of land and building construction. Series B bond proceeds will be used to finance purchase of equipment.

An analysis of the sources and uses of project funds is:

SOURCE OF FUNDS	
* Series A	\$2,150,000
* Series B	\$1,350,000
Total Funds:	\$3,500,000

USES OF FUNDS	
* Land	\$450,000
* Building	\$1,350,000
* Equipment	\$623,000
* Leasehold Impr.	\$650,000
* Bond Reserve	\$100,000
* Capital Interest	\$20,000
* Cost of Issuance	\$67,000
Total Cost:	\$3,500,000

The firm of Hinkle, Eberhart and Elkouri, L.L.C. will serve as bond counsel in the transaction. The taxable Bonds will be privately placed with the company's principal bank. Lee Aerospace, Inc. agrees to comply with the Standard Conditions contained in the City's IRB Policy. Lee Aerospace, Inc. agrees to pay all costs of issuing the bonds and agrees to pay the City's \$2,500 annual IRB administrative fee for the term of the bonds.

Lee Aerospace, Inc. is requesting a 100% ad valorem tax exemption in connection with issuance of IRBs. A cost benefit analysis performed by the Wichita State University Center for Economic Development and Business Research shows benefit-to-cost ratios of x for the City, x for the County, x for U.S.D. 259 and x for the State. Under the City's Business Incentive Policy, Lee Aerospace qualifies for a 100% tax abatement on all bond-financed property for an initial five-year period, plus a 50% tax abatement for a second five-year period on real property only, subject to Council review.

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Mayor Knight

Motion --

Kamen moved that the public hearing be closed; a Letter of Intent to Lee Aerospace, Inc. for Industrial Revenue Bonds in an amount not to exceed \$3.5 million, subject to the Standard Letter of Intent Conditions, for a term of six months, be approved; the Mayor be authorized to sign the necessary documents; and a 100% property tax abatement on bond-financed improvements for a term of five years, plus a second five years based on Council review be granted. Motion carried 6 to 0. (Ferris absent)

-- carried

COUNCIL PROCEEDINGS

	(This Item was time certain and was taken up later in the meeting. Action is shown in Agenda order.)				
CONDEMNATIONS	<u>REPAIR OR REMOVAL OF DANGEROUS AND UNSAFE STRUCTURE.</u> (District III)				
	(Ferris present)				
Kurt Schroeder	Superintendent of Central Inspection reviewed the Item.				
	Agenda Report No. 99-219.				
	On January 26, 1999, a report was submitted with respect to the dangerous and unsafe conditions of buildings located on two (2) properties. The Council adopted a providing for a public hearing to be held on these condemnation actions at 11:00 a.m. on March 16, 1999. Since that time one (1) property has been demolished by the owner.				
	On January 4, 1999, the Board of Code Standards and Appeals (BCSA) held a hearing on the following property:				
	<table> <tr> <th><u>Property Address</u></th><th><u>Council District</u></th></tr> <tr> <td>3680 East Sunnybrook</td><td>III</td></tr> </table>	<u>Property Address</u>	<u>Council District</u>	3680 East Sunnybrook	III
<u>Property Address</u>	<u>Council District</u>				
3680 East Sunnybrook	III				
	Pursuant to State Statute the Resolutions were duly published twice on January 27, 1999 and February 3, 1999. A copy of each resolution was sent by certified mail or given personal service delivery to the owners and lien holders of record of each described property.				
	Staff recommended 30 days to complete repairs, if the mortgage holder can release the funds for repairs.				
Mayor Knight	Mayor Knight inquired if anyone wished to be heard.				
William Davitt	William Davitt said the insurance company will release the funds when the repairs are completed. The owner has lived on the property for a long time and wants to continue living there. The owner has severe health problems including diabetes and, recently, four heart attacks. He does not want the property to be torn down.				
Jeff Sargent	Mercury Mortgage requested 60 days so the owner can comply with all items.				
Motion --	Lambke moved that the public hearing be closed and the resolution declaring the building(s) dangerous and unsafe structure(s) be adopted; and 60 days be granted to complete repairs. Any extensions of time granted to repair the structure would be conditioned on the following: (1) All taxes have been paid to date, as of March 16, 1999; (2) the structure(s) has/have been secured as of March 16, 1999, and will continue to be kept secured, and (3) the premises are mowed and free of debris as of March 16, 1999, and will be so maintained during renovation. If any of the above conditions are not met, the Office of Central Inspection will proceed with demolition action and also instruct the City Clerk to have the resolution published once in the official city paper and advise the owners of these findings. Motion				
C carried	carried 6 to 1. Cole - No.				

RESOLUTION NO. R-99-088

A Resolution finding that the structure located on Lot 11, Block B, Planeview Subdivision No. 2, being a subdivision in Section 2, Township 28 south, Range 1 east of the 6th Principal Meridian in Wichita, Sedgwick County, Kansas, commonly known as 3680 East

COUNCIL PROCEEDINGS

Sunnybrook, Wichita, Kansas, is unsafe or dangerous and directing the structure(s) to be made safe and secure or removed, read. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

COUNCIL PROCEEDINGS

(This Item was time certain and taken up later in the meeting. Action is shown in agenda order.) (All present)

WATER/SEWER ASSESSMENTS PUBLIC HEARING ON PROPOSED ASSESSMENTS FOR 22 WATER AND 18 SEWER WATER AND SEWER PROJECTS. (Various Districts)

Mike Lindebak

City Engineer reviewed the Item and asked that Water Items 448-89216 and 448-89244 be deferred one week.

Agenda Report No. 99-220.

The Council was notified on that the proposed assessment rolls were on file for public inspection in the Special Assessments Section of the City Clerk's office.

Notice of hearing was published February 19, 1999, ten days prior to the date of hearing, and affected property owners have been notified in writing. City personnel held an informal hearing March 3, 1999 for the water projects and for the sewer projects.

Statements of Special Assessment will be mailed to the property owners on March 26, 1999. The property owners have 30 days from date of statement to pay their assessment and avoid paying interest. The assessments not paid during this period will be in the July 1999 Bond Sale and put on the 1999 tax roll over a 15-year spread at the interest rate for which the bonds sell.

These projects were initiated pursuant to provisions of K.S.A. 12-6a01 et seq. All were 100% petitions with the exception of:

448-89108	West Lynn Seventh Addition	63 percent
448-89253	Sims Garden, Osteopathic, and McLean Additions	60 percent
448-89244	Bradley Fair Third Addition	Ordered In
468-82778	Wickes, Horton, Lofland, Costal Mart, Miles Country Way Additions, and Unplatted Area	96 percent

On February 9, 1999, the Council was notified that the proposed assessment rolls for construction of the following sewer and water projects had been prepared and were on file in the office of the City Clerk for public inspection:

WATER PROJECTS:

a. (470-544/734665/448-88340) - Construction of Water Distribution System No. 448-88340 as authorized by Resolution adopted October 18, 1988, and published October 21, 1998. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$45,690.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

b. (470-494/734160/448-88983) - Construction of Water Distribution No. 448-88983 as authorized by Resolution No. R-96-037 adopted February 13, 1996, and published February 16, 1996. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$181,900.00 is to be apportioned \$137,625.54 (81.18%) to the improvement district and \$44,274.46 (18.82%) payable by the City of Wichita utilizing the Water Utility Improvement Fund. The cost has been assessed on a fractional basis.

c. (470-519/734418/448-89026) - Construction of Water Distribution System No.

COUNCIL PROCEEDINGS

448-89026 as authorized by Resolution No. R-96-123 adopted April 2, 1996, and published April 5, 1996. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$35,840.00 is to be apportion 100 percent to the improvement district. The cost has been assessed on a fractional basis.

d. (470-516/734384/448-89075) - Construction of Water Distribution System No. 448-89075 as authorized by Resolution No. R-96-341 adopted September 17, 1996, published September 20, 1996; and rescinded by Resolution No. R-98-097 adopted April 7, 1998, and published April 10, 1998. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$43,660.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

COUNCIL PROCEEDINGS

- e. (470-434/733568/448-89108) - Construction of Water Distribution System No. 448-89108 as authorized by Resolution No. R-97-005 adopted January 14, 1997, and published January 17, 1997. Petition for this improvement was signed by owners representing 63% percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$35,450.00 is to be apportioned \$27,296.50 (77%) to the improvement district and \$8,153.50 (23%) payable by the City of Wichita utilizing the Water Utility Improvement Fund. The cost has been assessed on a fractional basis.
- f. (470-469/733915/448-89121) - Construction of Water Distribution System No. 448-89121 as authorized by Resolution No. R-97-049 adopted March 4, 1997, and published March 7, 1997. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$44,920.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.
- g. (470-501/734236/448-89192) - Construction of Water Distribution System No. 448-89192 as authorized by Resolution No. R-97-324 adopted September 16, 1997, and published September 19, 1997. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$39,690.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.
- h. (470-530/734525/448-89193) - Construction of Water Distribution System No. 448-89193 as authorized by Resolution No. R-97-325 adopted September 16, 1997, and published September 19, 1997. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$25,590.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.
- i. (470-497/734194/448-89216) - Construction of Water Distribution System No. 448-89216 as authorized by Resolution No. R-97-398 adopted November 4, 1997, published November 7, 1997; and rescinded by Resolution No. R-98-451 adopted September 29, 1998, and published October 2, 1998; amended March 16, 1999, and corrected and republished March 19, 1999. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$905,030.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis. percent to the improvement district. The cost has been assessed on a fractional basis.
- j. (470-518/734400/448-89221) -Construction of Water Distribution System No. 448-89221 as authorized by Resolution No. R-97-412 adopted November 18, 1997, and published November 21, 1997. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$80,690.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.
- k. (470-522/734442/448-89235) - Construction of Water Distribution System No. 448-89235 as authorized by Resolution No. R-98-024 adopted February 10, 1998, published February 13, 1998; and rescinded by Resolution No. R-98-106 adopted April 7, 1998, and published April 10, 1998. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$29,690.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

COUNCIL PROCEEDINGS

- l. (470-512/734343/448-89241)- Construction of Water Distribution System No. 448-89241 as authorized by Resolution No. R-98-058 adopted March 3, 1998, and published March 6, 1998. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$84,670.00 is to be apportioned \$78,235.08 (92.4%) to the improvement district and \$6,434.92 (7.6%) payable by the City of Wichita utilizing the Water Utility Improvement Fund. The cost has been assessed on a fractional basis.
- m. (470-515/734376/448-89244) - Construction of Water Distribution System No.448-89244 as authorized by Resolution No. R-98-076 adopted March 17, 1998, and published March 20, 1998. There was no Petition for this improvement as the project was ordered in by City Council February 24, 1998. The Statement of Cost approved December 22, 1998, in the amount of \$215,270.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.
- n. (470-517/734392/448-89250) - Construction of Water Distribution System No. 448-89250 as authorized by Resolution No. R-98-111 adopted April 7, 1998, and published April 10, 1998. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$41,160.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.
- o. (470-527/734491/448-89253) - Construction of Water Distribution System No. 448-89253 as authorized by Resolution No. R-98-116 adopted April 14, 1998, and published April 17, 1998. Petition for this improvement was signed by owners representing 60 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$74,720.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a front foot basis.
- p. (470-526/734483/448-89256) - Construction of Water Distribution System No. 448-89256 as authorized by Resolution No. R-98-126 adopted April 14, 1998, and published April 17, 1998. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$71,180.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.
- q. (470-545/734673/448-89258) - Construction of Water Distribution System No. 448-89258 as authorized by Resolution No. R-98-239 adopted June 16, 1998, and published June 19, 1998. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$35,910.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a percentage basis.
- r. (470-553/734756/448-89260) - Construction of Water Distribution System No. 448-89260 as authorized by Resolution No. R-98-240 adopted June 16, 1998, and published June 19, 1998. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$23,760.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.
- s. (470-539/743616/448-89273) - Construction of Water Distribution System No.448-89273 as authorized by Resolution No. R-98-246 adopted June 16, 1998, and published June 19, 1999. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$35,900.00 is to be apportioned 100 percent to the

COUNCIL PROCEEDINGS

improvement district. The cost has been assessed on a fractional basis.

t. (470-536/634582/448-89274) - Construction of Water Distribution System No. 448-89274 as authorized by Resolution R-98-230 adopted June 2, 1998, and published June 5, 1998. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$34,090.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

u. (470-542/734640/448-89283) - Construction of Water Distribution System No. 448-89283 as authorized by Resolution No. R-98-282 adopted July 7, 1998, and published July 13, 1998. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$23,490.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

v. (470-546/734681/448-89294) - Construction of Water Distribution System No. 448-89294 as authorized by Resolution No. R-98-325 adopted July 28, 1998, and published July 31, 1998. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$44,200.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

SEWER PROJECTS:

a. (480-357/742650/468-82587) - Construction of Lateral 365, Southwest Interceptor Sewer as authorized by Resolution No. R-96-113 adopted April 2, 1996, and published April 5, 1996. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$223,880.00 is to be apportioned \$126,530.00 to the improvement district and \$97,350.00 payable by the City of Wichita utilizing the Sewer Improvement Utility Funds. The cost has been assessed on a fractional basis.

b. (480-420/743294/468-82778) - Construction of Lateral 28, Main 1, Cowskin Interceptor Sewer as authorized by Resolution No. R-97-396 adopted November 4, 1997, and published November 7, 1997. Petition for this improvement was signed by owners representing 96 percent of the property ownership. The Statement of Cost approved December 22, 1998 in the amount of \$82,260.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

c. (480-440/743492/468-82806) - Construction of Lateral 15, Cowskin Interceptor Sewer as authorized by Resolution No. R-98-037 adopted February 10, 1998, and published February 13, 1998. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$454,370.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

d. (480-436/743450/ 468-82809) - Construction of Lateral 20, Main 13, Southwest Interceptor Sewer as authorized by Resolution No. R-98-025 adopted February 10, 1998, published February 13, 1998, corrected and re-published February 25, 1998; and rescinded by Resolution No. R-98-108 adopted April 7, 1998, and published April 10, 1998. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$62,570.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

e. (480-431/743401/468-82812) - Construction of Lateral 16, Cowskin Interceptor

COUNCIL PROCEEDINGS

Sewer, as authorized by Resolution No. R-98-061 adopted March 3, 1998, and published March 6, 1998. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$201,710.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

f. (480-441/743500/468-82838) - Construction of Main 2, Cowskin Interceptor Sewer as authorized by Resolution No. R-98-215 adopted May 19, 1998, and published May 22, 1998. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$517,200.00 is to be apportioned \$258,600.00 (50%) to the improvement district and \$258,600.00 (50%) payable by the City of Wichita utilizing the Sewer Utility Improvement Fund. The cost has been assessed on a fractional basis.

g. (480-447/743567/468-82844) - Construction of Lateral 3, Main 8, Southwest Interceptor Sewer as authorized by Resolution No. R-98-247 adopted June 16, 1998, published June 19, 1998; and rescinded by Resolution No. R-98-428 adopted September 15, 1998, and published September 18, 1998. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1999, in the amount of \$48,020.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

h. (480-446/743559/468-82848) - Construction of Lateral 9, Main 16, Southwest Interceptor Sewer, as authorized by Resolution No. R-98-231 adopted June 2, 1998, published June 5, 1998; and rescinded by Resolution No. R-98-292 adopted July 14, 1998, and published July 17, 1998. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$158,170.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

i. (480-448/743575/468-82884) - Construction of Lateral 142, War Industries Sewer as authorized by Resolution No. R-98-326 adopted July 28, 1998, and published July 31, 1998. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$70,010.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

j. (480-455/743641/468-82890) - Construction of Lateral 160, Sanitary Sewer No. 22 as authorized by Resolution No. R-98-358 adopted August 18, 1998, and published August 21, 1998. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$97,150.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

STORM WATER SEWERS:

a. (485-133/750976/468-82602) - Construction of Storm Water Drain No. 119 as authorized by Resolution No. R-96-211 adopted May 21, 1996, and published May 24, 1996. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$228,940.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

b. (485-138/751024/468-82739) - Construction of Storm Water Sewer No. 130 as authorized by Resolution No. R-97-199 adopted July 1, 1997, published July 3, 1997, and corrected and re-published September 11, 1998. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$672,320.00 is to be

COUNCIL PROCEEDINGS

apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

c. (485-141/751065/ 468-82740) - Construction of Storm Water Sewer No. 131 as authorized by Resolution No. R-97-200 adopted July 1, 1997, and published July 8, 1997. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$45,460.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

d. (485-143/751081/ 468-82776)- Construction of Storm Water Sewer System No. 494 as authorized by Resolution No. R-97-383 adopted October 28, 1997, and published October 31, 1997. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$26,640.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

e. (485-144/751099/468-82780) - Construction of Storm Water Drain No. 133 as authorized by Resolution No. R-97-380 adopted October 28, 1997, published October 31, 1997; rescinded by Resolution No. R-97-460 adopted December 16, 1997, and published December 19, 1997. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$221,440.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

f (485-145/751107/468-82784) - Construction of Storm Water Sewer No. 495 as authorized by Resolution No. R-97-394 adopted October 28, 1998, and published October 31, 1997. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$106,800.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

g. (485-146/751115/468-82786) - Construction of Storm Water Drain No.134 as authorized by Resolution No. R-97-413 adopted November 25, 1997, and published November 28, 1997. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$205,970.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

h. (485-155/751206/ 468-82886) - Construction of Storm Water Sewer No. 511 as authorized by Resolution No. R-98-350 adopted August 11, 1998, and published August 14, 1998. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 22, 1998, in the amount of \$28,460.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

Motion --

-- carried

Knight moved that Items 448-89216 and 448-89244 be deferred one week; and on the remaining Items, the public hearing be closed, the proposed assessments be approved, and the Ordinances be placed on first reading. Motion carried 7 to 0.

a. (470-544/734665/448-88340)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-88340, introduced and under the rules laid over.

COUNCIL PROCEEDINGS

b. (470-494/734160/448-88983)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution No. 448-88983, introduced and under the rules laid over.

COUNCIL PROCEEDINGS

c. (470-519/734418/448-89026)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89026, introduced and under the rules laid over.

d. (470-516/734384/448-89075)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89075, introduced and under the rules laid over.

e. (470-434/733568/448-89108)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89108, introduced and under the rules laid over.

f. (470-469/733915/448-89121)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89121, introduced and under the rules laid over.

g. (470-501/734236/448-89192)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89192, introduced and under the rules laid over.

h. (470-530/734525/448-89193)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89193, introduced and under the rules laid over.

i. (470-518/734400/448-89221)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89221, introduced and under the rules laid over.

j. (470-522/734442/448-89235)

COUNCIL PROCEEDINGS

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89235, introduced and under the rules laid over.

COUNCIL PROCEEDINGS

k. (470-512/734343/448-89241)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89241, introduced and under the rules laid over.

l. (470-517/734392/448-89250)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89250, introduced and under the rules laid over.

m. (470-527/734491/448-89253)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89253, introduced and under the rules laid over.

n. (470-526/734483/448-89256)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89256, introduced and under the rules laid over.

o. (470-545/734673/448-89258)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89258, introduced and under the rules laid over.

p. (470-553/734756/448-89260)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89260, introduced and under the rules laid over.

q. (470-539/743616/448-89273)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89273, introduced and under the rules laid over.

r. (470-536/634582/448-89274)

COUNCIL PROCEEDINGS

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89274, introduced and under the rules laid over.

COUNCIL PROCEEDINGS

s. (470-542/734640/448-89283)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89283, introduced and under the rules laid over.

t. (470-546/734681/448-89294)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89294, introduced and under the rules laid over.

SEWER PROJECTS:

a. (480-357/742650/468-82587)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 365, Southwest Interceptor Sewer, introduced and under the rules laid over.

b. (480-420/743294/468-82778)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 28, Main 1, Cowskin Interceptor Sewer, introduced and under the rules laid over.

c. (480-440/743492/468-82806)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 15, Cowskin Interceptor Sewer, introduced and under the rules laid over.

d. (480-436/743450/ 468-82809)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 20, Main 13, Southwest Interceptor Sewer, introduced and under the rules laid over.

e. (480-431/743401/468-82812)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 16, Cowskin Interceptor Sewer, introduced and under the rules laid over.

COUNCIL PROCEEDINGS

f. (480-441/743500/468-82838)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Main 2, Cowskin Interceptor Sewer, introduced and under the rules laid over.

COUNCIL PROCEEDINGS

g. (480-447/743567/468-82844)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 3, Main 8, Southwest Interceptor Sewer, introduced and under the rules laid over.

h. (480-446/743559/ 468-82848)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 9, Main 16, Southwest Interceptor Sewer, introduced and under the rules laid over.

i. (480-448/743575/468-82884)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 142, War Industries Sewer, introduced and under the rules laid over.

j. (480-455/743641/ 468-82890)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 160, Sanitary Sewer No. 22, introduced and under the rules laid over.

STORM WATER SEWERS:

a. (485-133/750976/468-82602)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Storm Water Drain No. 119, introduced and under the rules laid over.

b. (485-138/751024/ 468-82739)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Storm Water Sewer No. 130, introduced and under the rules laid over.

c. (485-141/751065/ 468-82740)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Storm Water Sewer No. 131, introduced and under the rules laid over.

COUNCIL PROCEEDINGS

d (485-143/751081/ 468-82776)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Storm Water Sewer System No. 494, introduced and under the rules laid over.

e. (485-144/751099/468-82780)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Storm Water Drain No. 133, introduced and under the rules laid over.

COUNCIL PROCEEDINGS

f. (485-145/751107/468-82784)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Storm Water Sewer No. 495, introduced and under the rules laid over.

g. (485-146/751115/468-82786)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Storm Water Drain No.134, introduced and under the rules laid over.

h. (485-155/751206/ 468-82886)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Storm Water Sewer No. 511, introduced and under the rules laid over.

PAVING ASSESSMENT

PUBLIC HEARING ON SUPPLEMENTAL PROPOSED ASSESSMENTS FOR ONE (1) PAVING PROJECT.

Agenda Report No. 99-221.

On March 2, 1999, the City Council set the public hearing for this date to consider the supplemental assessment for the paving project. The purpose of the hearing is to correct the dollar amount assessed to each property owner.

The assessment pertains to improving of Red Brush, Wilson Estates Parkway; deceleration lane for eastbound traffic; left turn lane for westbound traffic in 21st Street for entrance to Red Brush, and on the north side of Wilson Estates Parkway (south of 21st, east of Rock). The original assessment did not include the cost of relocating KGE Utility Poles.

Statements of Supplemental Special Assessment will be mailed to the property owners on March 26, 1999. The property owners have 30 days from the date of statement to pay their assessment and avoid paying interest. Assessments not paid during this period will be in the August, 1999 Bond Sale and amortized over 15 years on the 1999 tax roll, at the interest rate for which the bonds sell.

This project was initiated pursuant to provisions of K.S.A. 12-6a01 et seq.

a. (490-544/764415/472-82843) - Improving of Red Brush, Wilson Estates Parkway (south of 21st, east of Rock), as authorized by Resolution No. R-97-204 adopted on July 1, 1997, published July 3, 1997. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Amended Statement of Cost approved March 2, 1999, in the amount of \$672,270.00, is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion --

Knight moved that the public hearing be closed; the proposed assessment be approved,

COUNCIL PROCEEDINGS

-- carried

and the Ordinance be placed on first reading. Motion carried 7 to 0.

(490-544/764415/472-82843)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Red Brush, Wilson Estates Parkway (south of 21st, east of Rock), introduced and under the rules laid over.

(Ferris absent)

SOLID WASTE TRANSFER TRANSFER STATION REQUIREMENTS AND ORDINANCE ON LICENSING AND CONTRACTING FOR SOLID WASTE TRANSFER STATIONS.

Motion C carried

Knight moved that this Item be deferred one week. Motion carried 6 to 0. (Ferris absent)

COUNCIL PROCEEDINGS

HOUSING & HUD ALLOCATION 1999-2000 HOUSING AND URBAN DEVELOPMENT (HUD) COMBINED ALLOCATIONS.

Tom Smith

Grants In Aid Coordinator reviewed the Item.

Agenda Report No. 99-224.

On November 3, 1998, the City Council acted to reaffirm community priorities and designated funding for priority programs/services provided by the City. Based on these established City Council priorities, applications were solicited for undesignated and Special Program funding through a competitive Request for Proposals (RFP).

The established Grants Review Committee held its public hearing on February 9, 1999 to provide an opportunity for interested persons to address the Committee regarding housing and community development needs. The Committee also heard requests for undesignated HOME and ESG funding. Following its reviews/hearings, the Grants Committee has submitted its recommendations for City Council review/action.

The 1999-2000 combined HUD funding for Wichita includes: (1) Community Development Block Grant (CDBG) - \$3,843,000; (2) HOME Investments Partnership (HOME) - \$1,860,000; and (3) Emergency Shelter Grant (ESG) - \$133,000. As a result of its prior actions, the City Council has designated the following:

Source	Designated Funding	Undesignated Funding	Total
CDBG	\$3,843,000	\$-0-	\$3,843,000
HOME	\$1,581,000	\$279,000	\$1,860,000
ESG	\$6,650	\$126,350	\$133,000
Total	\$5,430,650	\$405,350	\$5,836,000

Community Development Block Grant

1. Reduced Funding

The actual 1999/2000 CDBG grant from HUD will be \$84,000 less than originally estimated. The estimated amount (and the amount designated by the City Council in November, 1998) was \$3,843,000. The actual grant amount is \$3,759,000. To restore this original amount, Staff recommends utilizing \$84,000 from prior year completed CDBG project savings to provide funding for projects previously designated by the City Council.

2. Request for Proposals

A Staff Screening and Selection Committee has reviewed the Request for Proposals for: Women=s Services; Youth Recreation/Enrichment; Summer Youth Employment; and Home Repair and made funding recommendations for each category of service.

3. Neighborhood/Community Facilities

The City Council designated \$225,000 for Neighborhood/Community facilities. These funds were intended to be utilized either for community facilities/buildings or for deferred maintenance on eligible City-owned facilities. Staff is recommending that these funds be utilized for City-owned building needs.

The City Council designated \$350,000 for Neighborhood Services Centers. Staff recommend these funds be transferred from Public Services to Capital to permit repair of the Community Buildings.

COUNCIL PROCEEDINGS

4. Neighborhood Stabilization/Revitalization

The City Council has reserved \$415,580 to utilize in an overall neighborhood improvement strategy that would compliment the approved Neighborhood Revitalization Plan. Staff has proposed that these funds be incorporated within the approved Neighborhood Revitalization program for Neighborhood Cleanups; Public Facility/Infrastructure Improvements; and Housing Improvements. The City Council may utilize this funding for any eligible CDBG purpose, except for Public Services (already at maximum allocation), subject to federal allocation limits and regulations.

HOME Investment Funds

1. Additional Funding

Actual 1999/2000 HOME grant funding increased by \$56,513 - - from \$1,803,487 to \$1,860,000. Because of the increase in grant funding, Staff recommends that CHDO undesignated funding be increased by \$8,476 (as required by federal law), and that \$48,037 be designated for Neighborhood Revitalization Act housing (new or rehabilitation).

2. Undesignated CHDO Funding

The Grants Review Committee and Staff have provided funding recommendations for undesignated CHDO funding. These recommendations include funding support for Community Housing Services for a proposed acquisition/ rehabilitation program for first time home buyers in the Northeast Local Investment Area.

Emergency Shelter Grants

1. Funding

The actual 1999/2000 ESG funding decreased by \$32,000 - - from an estimated amount of \$165,000 to \$133,000. Staff supports the recommendation of the Grants Review Committee. The Committee was aware of the Homeless Task Force priorities and proposed funding needs.

The projected 1999-2000 CDBG allocation was reduced from the current fiscal year. At the same time, HOME funding increased, but Emergency Shelter Grant funds decreased slightly. The total proposed allocation for the 1999-2000 HUD Combined Allocation Plan and the One Year Action Plan is \$5,836,000, of which \$5,430,650 has been reserved by the City Council for established priority programs and services. These allocations will become effective and available on July 1, 1999.

Each grant program is restricted to certain federal allocation limits which cannot be exceeded; however, they can be less. In 1999/2000, these limits (by grant) are:

CDBG	\$ 1,135,000	Public Services
	\$ 882,600	Planning and Administration
HOME Funds	\$ 279,000	Neighborhood-Based
		Non-Profits (CHDOs) (Minimum)
	\$ 186,000	Administration
Emergency Shelter	\$ 39,900	Essential Service
	\$ 39,900	Homeless Prevention
	\$ 6,650	Administration

The national objectives of the Community Development Act are to principally benefit low/moderate income persons, eliminate slum and blight, or meet other urgent community needs. The HOME program also must primarily benefit low/moderate income persons and

COUNCIL PROCEEDINGS

the Emergency Shelter program must benefit homeless persons. The proposed Plan and Combined Application meets the overall objectives of the HUD requirements.

Allocation of Consolidated Grant funds is also subject to individual federal eligibility rules regarding specific activities/programs and national objectives of primarily benefiting low income persons or addressing conditions of slum/blight. The process by which grants funds are authorized by the City Council is a matter of local determination. The City Council has the authority to solicit proposals or to reserve grant funds for community priority needs and programs.

The City has met all federal requirements in the proposed allocation of these federal funds. Prior to final allocations and payments, each project must be verified for eligibility for use of the respective grant funds. Subsequent to the actual allocation of funds, Staff will prepare a One-Year Action plan of activities to be funded. The Plan will be made available for a required thirty (30) day public review and comment period. At the end of the comment period, the final plan will be returned to the City Council for final approval and authorization to submit to HUD.

Council Member Rogers	Council Member Rogers spoke in favor of granting \$12,000 for the Urban League Learning Center parking lot and requested that it be taken from the Neighborhood Improvement allocation of \$415,580.
Mayor Knight	Mayor Knight inquired whether anyone wished to be heard and no one appeared.
Mayor Knight	Mayor Knight said his primary focus is on intervention and prevention through communities in schools.
	Council Member Ferris present.
Tom Smith	Grants In Aid Director said both the Urban League and Communities in Schools could be funded from the line item ANeighborhood Stabilization@ (page 1).

COUNCIL PROCEEDINGS

Motion -- Knight moved that the funding allocations for the City=s 1999-2000 HUD Consolidated Plan/Combined Application be approved based upon the recommended funding amounts with the change that the Urban League request and Communities in Schools be funded from the line item ANeighborhood Stabilization@ (page 1); and (2) the use of prior year CDBG savings to bring total 1999/2000 CDBG funding to \$3,843,000, (3) the request for Proposal services, as recommended, (4) the transfer of \$350,000 from neighborhood Services to City Community Building Repair, (5) use and allocations for \$415,580 CDBG Neighborhood Stabilization (subject to above changes), (6 & 7) Staff and Grants Review Committee=s recommendation on HOME and Emergency Shelter funding, be approved; and preparation of the One Year Action plan be authorized. Motion carried 7 to 0.

-- carried

CONTRACT

CONTRACT FOR ECONOMIC DEVELOPMENT SERVICES.

Agenda Report No. 99-225.

Since the establishment of WI/SE in 1987 until its dissolution in 1997, the City has made budgetary contributions to support WI/SE operations, which in the latter years amounted to \$320,000 per year. As a follow-up to work of a Long Range Planning Task Force, a committee consisting of the Mayor, County Commission, Chairman and top executives of the area=s largest employers (Strategic Review Committee) was established to recommend a structure for the delivery of economic development services.

During the interim, the Wichita Area chamber of Commerce accepted responsibility for continuing certain economic development programs. The City of Wichita provided funding for downtown development activities in the amount of \$100,000 and Sedgwick County provided funding for general economic development activities in the amount of \$250,000 during the interim period. The balance of funding for Chamber economic development efforts have been provided by residual WI/SE funds and general Chamber funds.

The Economic Development Department of the Chamber has been re-established and has submitted a proposal to provide economic development services on an on-going basis. The Strategic Review committee approved the economic development plan. City funding for a portion of the effort has been requested.

Funding in the amount of \$180,000 will be from the City=s economic development trust fund. Upon execution of the contract, \$15,000 will be advanced, after which the City will reimburse actual expenditure pursuant to monthly billings. The advance will be credited against a final billing at the end of the contract term (December 31, 1999). City funding will be used to fund staff costs in the approximate amount of \$83,000, economic development expenses of approximately \$89,000 and approximately \$8,000 for community marketing materials.

Total City funding in 1999 for outside economic development services, including this contract, is in the amount of \$301,300. In addition to \$180,000 to the Chamber for economic development services, the City has committed \$50,000 to the Kansas World Trade Center, \$35,000 to the Kansas Minority Business Development Council, and \$36,300 to the Chamber through the Airport Authority for air service assistance.

Council Member Cole Council Member Cole said the City Council had previously voted against a petition for using private funds and now are looking at using general funds. Approving only \$180,000 for ambitious goals is setting the group up for failure.

Mayor Knight Mayor Knight said he did not believe in imposing taxes on the downtown area - some of whom did not believe they would benefit.

COUNCIL PROCEEDINGS

The commitment is close to what it was before.

Council Member Cole	Council Member Cole said she believed in the power of the private sector. There should be more private/public partnership. Council Member Cole said she feared this matter would be back in one year.
Mayor Knight	Mayor Knight said WI/SE was not sustainable because private business did not feel it played a great enough part.
Council Member Cole	Council Member Cole said she was disappointed in what has been presented and in not being involved before today=s presentation.
Mayor Knight	Mayor Knight inquired if anyone wished to be heard and no one appeared.
Motion --	Knight moved that the Contract be approved and the Mayor be authorized to sign.
Council Member Rogers	Council Member Rogers said some sort of strategy needs to be developed for those areas that have difficulty attracting business.
-- carried	Motion carried 6 to 1. Cole - No.

FALSE ALARM ORDINANCE

AMENDMENTS TO FALSE ALARM ORDINANCE.

Cathy Holdeman	<p>City Manager=s Office reviewed the Item.</p> <p>Agenda Report No. 99-226.</p> <p>The false alarm ordinance has been reviewed by Staff and alarm sales and monitoring companies over the past several months to address administrative problems and to look for ways to decrease the number of false alarms. The following summarizes the key points in the proposed ordinance:</p> <p>Registration Fee: Creating a data base giving the City the ability to more expeditiously process false alarms. A one-time registration fee of \$10 which would be collected from the alarm customer by the alarm business and then forwarded to the City. If the alarm business fails to register a customer with the City, the business will be assessed an administrative penalty of \$150.</p> <p>Option to Use Private Security: The alarm customer and business can forgo paying the registration fee if the customer elects to use private security to respond to an alarm.</p> <p>False Alarm Fee Structure: Provides the alarm customer with one free false alarm each calendar year. The second false alarm increases from \$12.50 to \$28. The fee for a false commercial panic alarm would be \$50. There is no charge if Police respond to a valid alarm.</p> <p>A late fee of \$10 will be charged if the fee is not paid within 50 days of billing. The late fee will continue to increase by \$10 every thirty days the fee is not paid.</p> <p>Licensing: Businesses involved in altering, installing, leasing, maintaining, repairing, servicing, or monitoring will be required to be licensed. The proposed license fee is \$100 and must be renewed each year.</p> <p>Public Education: The City will work in partnership with alarm companies to educate citizens on the operation of alarms and the penalties associated with false alarms.</p>
----------------	--

COUNCIL PROCEEDINGS

Implementation: Computer system modifications will be initiated to implement the proposed changes.

The proposed changes will cost \$340,000 in one-time costs for computer software purchase and programming changes to the 911 CAD program. The annual operation and maintenance costs are estimated to increase from the current \$48,000 to \$73,000. The majority of the increase is associated with increased billing cycles. The costs will be funded within the general fund with the anticipated increases in alarm revenue offsetting the additional expenses.

Mayor Knight momentarily absent with Vice Mayor Gale in the Chair.

Mike Watson	Police Chief said many private security officers are capable of answering alarms but some need additional training. The City has an ordinance encompassing security classification and training.
Council Member Ferris	Council Member Ferris said residents think the Police Department is going to answer alarms. The service provider should, in the form, disclose whether the alarm company or the Police Department is going to be responding to alarms.
Sharon Dickgrafe	Assistant City Attorney said the alarm companies give the users their option of who is going to respond.
Mayor Knight	Mayor Knight inquired if anyone wished to be heard and no one appeared.
Motion -- carried	Kamen moved that the alarm companies, after arrangements have been made with the alarm user, be required to put who will be responding to alarms on the disclosure statement, and to sign the disclosure statement; and the Ordinance be placed on first reading. Motion carried 7 to 0.
-- carried	

ORDINANCE

An Ordinance amending sections 3.40.020, 3.40.050, 3.40.070, 3.40.080, 3.40.090, 3.40.105 and 3.40.135 of the Code of the City of Wichita, Kansas, pertaining to definitions, license fee, required operational practices, revocation of licenses, response fees and panic alarms all relating to alarm systems and businesses, penalty and repealing the originals of said Sections, introduced and under the rules laid over.

CITY COUNCIL AGENDA

APPOINTMENTS

BOARD/COMMISSION APPOINTMENTS (FOR TERMS EXPIRING JUNE 30, 1999):

Commission on the Status of People with Disabilities (Lambke)
 Convention & Tourism Committee (Ferris)
 Human Services Board (2 appointments - Council at large)
 Police & Fire Retirement Board of Trustees (Rogers)
 Sister Cities Advisory Board (Cole)
 Wichita Commission on the Status of Women (7 appointments - 2 Lambke, Knight, Ferris, Gale, Kamen)
 Wichita-Sedgwick County Correctional Housing Board (Knight - Municipal Court Probation)

Motion --	Knight appointed Sabrina Perez Glatt (Women) and moved that the appointment be approved. Motion carried 7 to 0.
-- carried	

COUNCIL PROCEEDINGS

SOLID WASTE NOMINATIONS NOMINATIONS TO SEDGWICK COUNTY SOLID WASTE MANAGEMENT COMMITTEE. (2 VACANCIES)

- Motion -- Rogers appointed Carl Brewer and moved that the appointment be approved. Motion
-- carried carried 7 to 0.
- Motion -- Gale appointed Bill Williams and moved that the appointment be approved. Motion
-- carried carried 7 to 0.

HYDE ELEM SCHOOL SAFETY HYDE ELEMENTARY SCHOOL SAFETY. (REQUESTED BY COUNCIL MEMBER KAMEN.)

Council Member Kamen Council Member Kamen reviewed the Item.

Agenda Report.

Council Member Kamen asked the Public Works Department to look into the existing traffic situation at Hyde Elementary School. Due to the location of the school between three major streets, congestion occurs along Glendale during pick-up and drop-off times.

Traffic Engineering met with the school principal to discuss the situation and determine the extent of the problem. The situation is similar to other elementary schools in that there is a short period in the morning and afternoon when traffic is very heavy along Glendale on the east side of the school.

Three options to address the problem were forwarded to the school and are as follows:

Option One

The preferred option by Traffic Engineering is to designate drop-off and pick-up zones for students in order to spread out the traffic. The area for the youngest students would be the closest to the building, with the older children being progressively farther away, with no children being more than a block from the school. Existing No Parking signs along First Street adjacent to the school would need to be removed to make Option One work.

Option Two

Create additional angle parking along the west side of Glendale the entire block between First and Second Street. The portion of the block adjacent to the school has already been widened to provide additional parking, though it is currently being used for parallel parking. To make Option Two work, the north end of the street would need to be widened, and the street would need to be converted to one-way contingent upon support of the neighborhood. This Option would create concerns as motorists have to back out of spaces into the street.

Option Three

Install a pick-up and drop-off lane on the front side of the school along Oliver. This would provide space for 11 to 14 vehicles at a time. The lane would need to be a minimum of 20 feet wide to allow vehicles to pass other vehicles that are stopped. Option Three could create difficulties as vehicles try to enter and exit off of Oliver, which carries over 13,000 vehicles per day.

The school=s site council and PTO reviewed each of the options and preferred Option Three.

Under Option One, removing the existing No Parking signs along First Street would be the only cost involved. Widening, signing, and restriping the street as recommended in Option Two would cost around \$15,000. The cost for Option Three paving and sidewalk would be

COUNCIL PROCEEDINGS

around \$55,000.

Council Member Kamen	Council Member Kamen said Oliver was a busy street and that using 1st and Glendale Streets was the best option.
Council Member Cole	Council Member Cole said she was leery of angle parking as drivers cannot see around tall vehicles when trying to back out of the parking spaces.
Council Member Rogers	Council Member Rogers said the City needs to discuss this matter with the Board of Education because there are similar problems throughout the school system. There could be significant implications.
Mayor Knight	Mayor Knight inquired whether anyone wished to be heard.
Trix Nuremberger	<p>Trix Nuremberger, member of the Site Council, said Hyde has little ground which is a severe problem.</p> <p>Option 2 provides no more safety. Oliver is a high-traffic street; however, between 9 a.m. and 4 p.m. it is not as busy, and is the preferred option.</p> <p>The PTO is in the process of raising \$125,000 for a multi-purpose room, to be added to Hyde, on a 3-1 School Board match basis. The only area for construction is on Glendale.</p>
Debbie Biggs	<p>Debbie Biggs said this would be a drive-through on Oliver and students would not be let out on Oliver.</p> <p>Council Member Ferris momentarily absent.</p>
Ed Raymond	<p>Ed Raymond, Division Director, Auxiliary Services, Wichita Public Schools, said one of his areas of responsibility is transportation. This is the first day he had seen the actual plans for the proposed safety. Mr. Raymond said he supports the Council=s efforts to make the schools as safe as possible.</p> <p>Mr. Raymond reviewed two issues with busing:</p> <ol style="list-style-type: none"> (1) All of the buses pick up on campus. The parking lot for the teachers is on Oliver and the access road that goes from the parking lot to Glendale, where the buses are kept. <p>The first request would be that, if Glendale does become one-way, space be left to enable buses to make the turn onto Glendale.</p> <ol style="list-style-type: none"> (2) Requested that the Council look at the possibility of making Glendale run to the north so that the buses can be turned onto Glendale and then Oliver First Street, and finally I-135. <p>If Glendale were made a one-way street going north, additional safety may be provided.</p> <p>Mr. Raymond said he had not been involved in conversations regarding a double-pickup lane on Oliver. If that is a primary option, transportation would also like to be involved.</p> <p>A pickup lane on Oliver would be two lanes one way.</p>
Council Member Kamen	Council Member Kamen suggested the City take no action except to try to work with Staff of the Board of Education, USD 259, to work toward making Glendale a one-way Street going north.

COUNCIL PROCEEDINGS

OFF AGENDA ITEM

NORTHWEST SEWER PUBLIC MEETING - DISTRICT VI.

Motion --
-- carried

Knight moved that the rules be set aside and an Item concerning a public meeting be taken up off the Agenda. Motion carried 7 to 0.

Council Member Cole

Council Member Cole announced that a Neighborhood meeting with CPO District VI would be held on Wednesday, March 24th, at the Police Training Academy. Viewing will be from 6:30 p.m. to 7:00 p.m. The meeting will start at 7:00 p.m.

COUNCIL PROCEEDINGS

PROCLAMATIONS

PROCLAMATIONS.

- Take Our Daughters to Work Day
- The Week of the Young Child
- Letter Carriers Food Drive Day
- Project H.O.P.E.+E Day

Motion C carried

Knight moved that the proclamations be approved. Motion carried 7 to 0.

CONSENT AGENDA

Knight moved that the Consent Agenda be approved in accordance with the recommended action shown thereon. Motion carried 7 to 0.

BOARD OF BIDS

REPORTS OF THE BOARD OF BIDS AND CONTRACTS DATED MARCH 8, 1999, AND MARCH 15, 1999.

At 10:00 a.m., Friday, March 5, 1999, pursuant to advertisements published, bids were received, publicly opened, read aloud and tabulated for the Board of Bids and Contracts:

(Ref: Bid analysis report attached to Board of Bids Minutes March 8, 1999)

PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION: Sewers, Paving and Water Mains as per specifications

1999 enhanced maintenance rubberized crack sealing of asphalt streets. (706648 (D)/405218) Traffic to be maintained through construction. City Council approval date: 10/13/98. (Districts III and V)

Musselman & Hall Contractors, LLC - \$134,999.98 (Engineer=s Estimate)

1999 enhanced maintenance concrete crack sealing Phase 1 (706648(E)/405218) Traffic to be maintained through construction using flagpersons and barricades. City Council approval date: 10/13/98. (District V)

Cornejo & Sons Construction - \$243,672.00 (Engineer=s Estimate)

Water distribution system, Phase IV to serve Belle Terre South Addition - south of Kellogg, west of 159th Street East. (448-89179/734906/470576) Does not affect existing traffic. City Council approval date: 7/22/97.

Nowak Construction - \$55,968.00

Water distribution system, Phase V to serve Belle Terre South Addition - south of Kellogg, west of 159th Street East. (448-89180/734907/470577) Does not affect existing traffic. City Council approval date: 7/22/97.

Nowak Construction - \$81,168.00

Water distribution system, Phase V to serve Rocky Creek Addition - north of 13th, east of 137th Street East. (448-89098/734899/470569) Does not affect existing traffic. City Council approval date: 12/17/96. (District II)

K C Excavating - \$34,171.50

COUNCIL PROCEEDINGS

Water distribution system to serve Lark Sixth Addition south of Kellogg, east of 119th Street West. (448-89229/734901/470571) Does not affect existing traffic. City Council approval date: 12/9/97. (District V)

Nowak Construction - \$45,378.00

Water distribution system to serve Auburn Hills Eighth Addition - south of Maple, east of 135th Street West. (448-89360/734908/470578) Does not affect existing traffic. City Council approval date: 1/26/99. (District V)

Nowak Construction - \$56,480.00

Water distribution system to serve Auburn Hills Ninth Addition - south of Maple, east of 135th Street West. (448-89361/734909/470579) Does not affect existing traffic. City Council approval date: 1/26/99. (District V)

Mies Construction - \$27,187.50

COUNCIL PROCEEDINGS

Storm Water Sewer No. 477 to serve West Kellogg Power Center Addition - north of Kellogg, west of Hoover. (468-82629/751263/485161) Does not affect existing traffic. City Council approval date: 9/24/96. (District V)

Mies Construction - \$58,000.00

21st Street decel lane and fire hydrants; Golf Park West Addition - south of 21st Street, west of Ridge. (472-83061/765552/490663) Traffic to be maintained through construction. City Council approval date: 2/9/99. (District V)

Cornejo & Sons Construction - \$51,620.69

PARK DEPARTMENT/GOLF COURSE MAINTENANCE DIVISION: Fertilizer with Herbicide (170282)

UHS Pueblo - \$19,210.00

POLICE DEPARTMENT/TRAINING DIVISION: Police Leather and Accessories, Police Cycling Accessories and Surgical Glove Pouches (083600)

Law Enforcement Equipment Company - \$ 21.85 (Item # 1/per each)

\$ 18.57 (Item # 2/per each)
 \$ 19.67 (Item # 3/per each)
 \$ 40.71 (Item # 4/per each)
 \$ 61.04 (Item # 5/per each)
 \$ 70.48 (Item # 6/per each)
 \$ 96.40 (Item # 7/per each)
 \$ 70.68 (Item # 8/per each)
 \$104.96 (Item # 9/per each)
 \$ 49.75 (Item #10/per each)
 \$ 17.25 (Item #11/per each)
 \$ 10.75 (Item #12/per each)
 \$ 28.85 (Item #13/per each)
 \$ 39.50 (Item #14/per each)
 \$ 32.10 (Item #15/per each)
 \$ 19.60 (Item #16/per each)
 \$ 32.81 (Item #17/per each)
 \$ 75.25 (Item #18/per each)
 \$ 12.10 (Item #19/per each)
 \$ 11.50 (Item #20/per each)
 \$ 23.45 (Item #21/per each)
 \$ 9.25 (Item #22/per each)
 \$ 9.75 (Item #23/per each)
 \$ 70.50 (Item #24/per each)
 \$ 6.50 (Item #25/per each)
 \$ 13.50 (Item #26/per each)
 \$ 8.00 (Item #27/per each)
 \$ 6.20 (Item #28/per each)
 \$ 18.14 (Item #29/per each)
 \$ 17.75 (Item #30/per each)
 \$ 20.21 (Item #31/per each)
 \$ 27.28 (Item #32/per each)
 \$ 15.95 (Item #33/per each)
 \$ 28.00 (Item #34/per each)
 \$ 29.90 (Item #35/per each)
 \$ 6.30 (Item #36/per each)
 \$ 8.40 (Item #37/per each)

COUNCIL PROCEEDINGS

\$ 16.30 (Item #38/per each)
\$ 34.40 (Item #39/per each)
\$ 15.90 (Item #40/per each)
\$ 24.00 (Item #41/per each)
\$ 11.00 (Item #42/per each)
\$ 4.25 (Item #43/per each)
\$ 11.00 (Item #44/per each)
\$ 7.95 (Item #45/per each)
\$ 6.70 (Item #46/per each)
\$ 7.50 (Item #47/per each)
\$ 8.95 (Item #48/per each)
\$ 10.35 (Item #49/per each)
\$ 18.55 (Item #50/per each)
\$ 9.30 (Item #51/per each)
\$ 15.25 (Item #52/per each)
\$ 4.00 (Item #53/per each)

COUNCIL PROCEEDINGS

\$ 14.50 (Item #54/per each)
 \$ 10.25 (Item #55/per each)
 \$ 6.50 (Item #56/per each)
 \$ 15.50 (Item #57/per each)
 \$ 5.95 (Item #58/per each)

At 10:00 a.m., Friday, March 12, 1998, pursuant to advertisements published, bids were received, publicly opened, read aloud and tabulated for the Board of Bids and Contracts:

(Ref: Bid analysis report attached to Board of Bids Minutes March 15, 1999.

PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION: Sewers, Paving and Water Mains as per specifications

Water transmission in Harry from Ridge Road to 3700 ft west of Ridge Road - south of Kellogg, east of Tyler Road. (448-89248/633651/758535) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 2/2/99. (District V)

WB Carter Construction - \$108,231.00

Water distribution system to serve properties east of Arkansas Avenue between 37th Street North and 45th Street North. (448-89255/734467/470524) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 4/14/98. District VI

BRB Contractors Inc. - \$213,929.00

Water distribution system to serve Simmons Park Addition - north of 55th Street South, east of Meridian. (448-89286/734871/470565) Traffic to be maintained through construction. City Council approval date: 6/23/98. (District V)

HD Mills & Sons - \$34,234.00

Water distribution system to serve Simmons Park Addition - north of 55th Street South, east of Meridian. (448-89287/734889/470566) Does not affect existing traffic. City Council approval date: 6/23/98. (District V)

WBW Contractors - \$49,423.00

Storm Water Sewer No. 496 to serve Lark Sixth Addition - south of Kellogg, east of 119th Street West. (468-82796/751149/485149) Does not affect existing traffic. City Council approval date: 12/9/97. (District V)

Utility Contractors - \$97,312.00

Lateral 29, Main 1, Cowskin Interceptor Sewer to serve Hughes and Blasi Park Additions - south of Kellogg, east of 119th Street West. (468-82933/743782/480470) Does not affect existing traffic. City Council approval date 12/15/98. (District V)

WB Carter Construction - \$21,466.00

Knight moved that the contract(s) be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the Mayor be authorized to sign for the City. Motion carried 7 to 0.

COUNCIL PROCEEDINGS

PUBLIC WORKS DEPARTMENT/STREET MAINTENANCE DIVISION: Trailer Mounted 185 C.F.M. Air Compressor (130807)

Concrete Accessories - \$10,690.00 (Total Base Bid)
 \$ 165.00 (Total Option #2)
 \$ 115.00 (Total Option #3)
 \$ 193.00 (Total Option #4)

PARK DEPARTMENT/GOLF COURSE MAINTENANCE DIVISION: Fertilizer, Fungicides, Herbicides and Insecticides (170282)

The Greenkeeper Co. - \$674.10 (Group I/Total Net Bid)
 Van Diest Supply Co. - \$6,711.60 (Group II/Total Net Bid)
 Gard=n-Wise Distributors - \$5,871.60 (Group III/Total Net Bid)
 Grass Pad Inc. @ - \$4,086.10* (Group IV/Total Net Bid)
 Gard=n-Wise Distributors - \$3,775.00* (Group V/Total Net Bid)
 BWI Springfield - \$ 3,007.60 (Group VI/Total Net Bid)
 BWI Springfield - \$ 2,038.00 (Group VII/Total Net Bid)
 Van Diest Supply Co. - \$1,978.80 (Group VIII/Total Net Bid)
 UHS Pueblo - \$ 2,760.00 (Group IX/Total Net Bid)
 UHS Pueblo - \$ 6,048.00** (Group X/Total Net Bid)
 Outdoor Equipment Co. - \$636.00 (Group XI/Total Net Bid)
 Van Diest Supply Co. - \$ 1,351.68 (Group XII/Total Net Bid)
 Turf Partners - \$ 3,692.00 (Group XIII/Total Net Bid)
 UHS Pueblo - \$ 2,798.40 (Group XIV/Total Net Bid)
 Van Diest Supply Co. - \$979.75 (Group XV/Total Net Bid)
 Lesco, Inc. - \$ 1,494.00 (Group XVI/Total Net Bid)
 UHS Pueblo - \$14,960.65 (Group XVII/Total Net Bid)

*Corrected Total
**Draw (Three-Way Tie Bid)

HEALTH DEPARTMENT: Telecommunication System for the Northeast Health Station
(675827)

Tele-Systems/National Telecom - \$11,520.00 (Total Net Bid)

PARK DEPARTMENT/RECREATION DIVISION: Park Lighting for Various Locations
(785758)

Kilian Electrical Service - \$ 7,058.00 (Group I/Total Base Bid)
Sims Electric Service, Inc. - \$30,650.00* (Group II)
 - \$ 8,290.00* (Group III)
Phillips Southern Electric Co., Inc.- \$ 3,091.00 (Group IV/Total Base Bid)
Wichita Electric Co., Inc. - \$17,900.00* (Group V)

*Total Alternate Bid #1

Knight moved that the contract(s) be awarded as outlined above, same being the lowest and best bid, and the necessary signatures be authorized. Motion carried 7 to 0.

COUNCIL PROCEEDINGS

Renewal

1999

Valerie Washington	Xcitement Video	1306 East Harry
Valerie Washington	Xcitement Video	1515 South Oliver

Motion --
-- carried

Knight moved that the licenses be approved subject to Staff review and approval. Motion carried 7 to 0.

APPLICATIONS FOR LICENSES TO RETAIL CEREAL MALT BEVERAGES:

Renewal

1999

(Consumption on Premises)

Charlene K. Schneider	Ty=s Diner Inc.*	928 West Second Street
-----------------------	------------------	------------------------

(Consumption off Premises)

Rick Brazile	Sam=s Club #8254	6200 West Kellogg
--------------	------------------	-------------------

New Establishment

1999

(Consumption on Premises)

Justin L. Bird	El Salvador Restaurant*	627 East 47th Street South
----------------	-------------------------	----------------------------

Judith A. Whitney	Duffy=s Lounge	2415 West 31st Street South
Mark A. Boswell	Midway Oil #10	3805 West 21st Street

Special Event

Pat Audlex	May 7-8, 1999	Riverside Park (Wichita River Artichoke Sandwich Bar Festival)
Pat Audlex	May 11-12, 1999	Riverside Park (Wichita River Artichoke Sandwich Bar Festival)
Pat Audlex	May 14-15-16, 1999	Riverside Park (Wichita River Artichoke Sandwich Bar Festival)
John E. Thieh	May 7-8-9, 1999	Century II Drive (Wichita River Jet Bar-B-Q Festival)

COUNCIL PROCEEDINGS

John E. Thieh	May 10-11-12, 1999	Century II Drive (Wichita River Festival) 1100 East Third Street
	Jet Bar-B-Q	
John E. Thieh	May 13-14-15, 1999	Century II Drive (Wichita River Festival) 1100 East Third Street
	Jet Bar-B-Q	
John E. Thieh	May 16, 1999	Century II Drive (Wichita River Festival) 1100 East Third Street
	Jet Bar-B-Q	

*General/Restaurant -- 50% or more of gross receipts derived from sale of food.

Motion --
-- carried

Knight moved that the licenses be approved subject to Staff review and approval. Motion carried 7 to 0.

PLANS AND SPECIFICATIONS

PLANS AND SPECIFICATIONS:

- a. 21st Street Left Turn lane, Phase II Sterling Farms Addition - on 21st Street North, west of Tyler. (472-81892/762591/490362) Traffic to be maintained through construction. City Council approval date: 2/14/89. (District V)

Motion --
-- carried

Knight moved that the Plans and Specifications be approved and the City Clerk be instructed to advertise for bids to be submitted to the Board of Bids and Contracts by 10:00 a.m., March 19, 1999. Motion carried 7 to 0.

- b. 1999 Contract Maintenance Micro-Surface Seal of Asphalt Streets at various locations. (132274/112000) Traffic to be maintained through construction using flagpersons and barricades. City Council approval date: 10/13/98. (Districts II, IV, and VI)
- c. 26th Street North, from the east line of Vassar to the west line of Wellesley Post and Christy's College Crest Addition - north of 25th Street North, east of Hillside. (472-82997/765255/490627) Traffic to be maintained through construction. City Council approval date: 8/11/98. (District I)
- d. Smith, from the north line of 12th Street north to the south line of 13th Street North R. A. Morris Tracts Addition - south of 13th Street, east of Hoover. (472-82944/765248/490626) Traffic to be maintained through construction. City Council approval date: 8/11/98. (District V)
- e. Waco, from 32nd Street North to 33rd Street North Gibbons Gardens Addition - north of 29th street, east of Arkansas. (472-82899/764753/490577) Traffic to be maintained through construction. City Council approval date: 1/6/98. (District VI)
- f. 1999 Enhanced Maintenance Concrete Repairs, Phase C at various locations. (706648-C/405218) Traffic to be maintained through construction using flagpersons and barricades. City Council approval date: 10/13/98. (Districts II and III)
- g. 1998-1999 CDBG Neighborhood Revitalization Area (NRA) Street Improvements at various locations. (600973/806034) Traffic to be maintained through construction using flagpersons and barricades. City Council approval date 7/1/98. (Districts I, IV, and VI)

Motion --
-- carried

Knight moved that the Plans and Specifications be approved and the City Clerk be instructed to advertise for bids to be submitted to the Board of Bids and Contracts by 10:00 a.m., March 26, 1999. Motion carried 7 to 0.

COUNCIL PROCEEDINGS

PRELIMINARY ESTIMATES**PRELIMINARY ESTIMATES:**

- a. 1999 Enhanced Maintenance Rubberized Crack Sealing of Asphalt Streets. (706648 (D)/405218) Traffic to be maintained through construction. City Council approval date: 10/13/98. (Districts III and V) - \$150,000.00
- b. 1999 Enhanced Maintenance Concrete Crack Sealing Phase 1. (706648 (E)/405218) Traffic to be maintained through construction using flagpersons and barricades. City Council approval date 10/13/98. District V - \$270,750.00
- c. Water Distribution System, Phase IV to serve Belle Terre South Addition - south of Kellogg, west of 159th Street East. (448-89179/734906/470576) Does not affect existing traffic. City Council approval date 7/22/97. - \$102,900.00

COUNCIL PROCEEDINGS

- d. Water Distribution System, Phase V to serve Belle Terre South Addition - south of Kellogg, west of 159th Street East. (448-89180/734907/470577) Does not affect existing traffic. City Council approval date: 7/22/97 - \$132,150.00
- e. Water Distribution System, Phase V to serve Rocky Creek Addition - north of 13th, east of 137th Street East. (448-89098/734899/470569) Does not affect existing traffic. City Council approval date: 12/17/96. (District II) - \$89,000.00
- f. Water Distribution System to serve Lark Sixth Addition - south of Kellogg, east of 119th Street West. (448-89229/734901/470571) Does not affect existing traffic. City Council approval date: 12/9/97. (District V) - \$95,000.00
- g. Water Distribution System to serve Auburn Hills Eighth Addition - south of Maple, east of 135th Street West. (448-89360/734908/470578) Does not affect existing traffic. City Council approval date: 1/26/99. (District V) - \$137,000.00
- h. Water Distribution System to serve Auburn Hills Ninth Addition - south of Maple, east of 135th Street West. (448-89361/734909/470579) Does not affect existing traffic. City Council approval date: 1/26/99. (District V) - \$76,000.00
- i. Storm Water Sewer No. 477 to serve West Kellogg Power Center Addition - north of Kellogg, west of Hoover. (468-82629/751263/485161) Does not affect existing traffic. City Council approval date: 9/24/96. (District V) - \$79,200.00
- j. 21st Street Decel Lane and Fire Hydrants Golf Park West Addition - south of 21st Street, west of Ridge. (472-83061/765552/490663) Traffic to be maintained through construction. City Council approval date: 2/9/99. (District V) - \$84,890.00

Motion --
-- carried

Knight moved that the Preliminary Estimates be approved and filed. Motion carried 7 to 0.

PAVING PETITION

PETITION TO PAVE GEORGIA AND GILDA IN WHEATLAND ADDITION - SOUTH OF MACARTHUR, WEST OF HOOVER. (District V)

Agenda Report No. 99-228.

The Petition has been signed by one owner representing 100% of the improvement district.

This project will provide street paving in a newly annexed residential development.

The estimated project cost is \$121,000. The funding source is special assessments.

Motion --
-- carried

Knight moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-99-093

Resolution of findings of advisability and Resolution authorizing improving of Georgia from the west line of Gilda, west to the west line of Lot 13, Block E, and to the west line of Lot 7, Block G; Gilda from the south line of Georgia to the south line of 42nd Street South; and 42nd Street South from the west line of Gilda to the west line of Lot 14, Block G and the west line of Lot 13, Block H; and sidewalk on the west side of Gilda, from the south line of

COUNCIL PROCEEDINGS

Georgia to the north line of 42nd Street South; on the north side of 42nd Street South, from the west line of Lot 14, Block G to the west line of Gilda; and also, between Lots 5 and 6, Block H, from the south line of Block H to the south line of 42nd Street South, all in Wheatland Addition Project No. 472-83076 (south of MacArthur, west of Hoover) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

BOARDS MINUTES

MINUTES OF ADVISORY BOARDS/COMMISSIONS:

Commission on the Status of Women, 2-3-99
 CPO Northeast Council 1, 2-22-99
 CPO East Council 2, 2-22-99
 CPO Southeast Council 3, 2-25-99
 CPO Southwest Council 4, 2-25-99
 CPO Northeast Council 5, 2-26-99
 CPO North Central Council 6, 2-25-99
 Commission on the Status of Women, 2-3-99
 Metropolitan Area Planning Commission (MAPC), 1-14-99
 Wichita Airport Authority, 1-19-99
 Wichita Airport Authority, 1-27-99
 Police & Fire Retirement System, 1-27-99
 Wichita Employees= Retirement System, 1-20-99
 Wichita Public Library, 2-16-99
 Wichita-Sedgwick County Board of Health, 2-11-99
 Wichita-Sedgwick County Alcohol and Drug
 Abuse Advisory Board (ADAAB), 2-11-99
 Wichita-Sedgwick County Emergency Communications
 Advisory Board, 2-18-99

Motion -- carried

Knight moved that the Minutes be received and filed. Motion carried 7 to 0.

ANNUAL REPORTS

ADVISORY BOARDS/COMMISSIONS ANNUAL REPORTS:

Board of Appeals of Air Conditioning, Refrigeration, Warm Air Heating and Boilers
 Board of Appeals of Plumbers and Gas Filters
 Board of Code Standards and Appeals
 Board of Electrical Appeals
 Board of Zoning Appeals
 Citizen Participation Organization (CPO)
 Civil Rights and Services Board (CRS)
 Commission on the Status of Women (CSW)
 Historic Preservation Board
 Human Services Board
 Metropolitan Area Planning Commission (MAPC)
 Traffic Commission
 Wichita Art Museum
 Wichita Public Library
 Wichita-Sedgwick County Alcohol and Drug Abuse Advisory Board (ADAAB)
 Wichita-Sedgwick County Board of Health

Motion -- carried

Knight moved that the Reports be received and filed. Motion carried 7 to 0.

STREET CLOSURES/USES

PARTIAL STREET CLOSURES AT VARIOUS LOCATIONS DURING FULL

COUNCIL PROCEEDINGS

DEPTH PAVEMENT CRACK REPAIR. Districts I, II, III, V and VI)

Agenda Report No. 99-229.

Cornejo & Sons has contracted to repair cracked pavement on arterial street locations listed below. This repair work is in advance of pavement surface improvements at these locations later this year. The Contractor has indicated an intent to complete the repairs in the order listed with work beginning approximately March 16, 1999, and completion expected near May 28, 1999.

<u>Street</u>	<u>From</u>	<u>To</u>
Central Seneca Bridge	Central Bridge	
47th South	Hydraulic	City Limits (east)
47th South	Greenwood	Laura
Pawnee	Rock Road	Oak Knoll
Rock Road	Pawnee	City Limits (south)
Woodlawn	21st North	Rockhill
13th North	Tyler	City Limits (east)
13th North	Maize Road	119th Street West

This work will require the temporary (4-7 day) closure of a lane of the arterial street during the pavement removal and replacement process. The Contractor is responsible for construction signs and barricades, notification of businesses and residents, and maintenance of access.

Motion -- carried

Knight moved that the street closure be approved. Motion carried 7 to 0.

COUNCIL PROCEEDINGS

RAILROAD HORN AGREEMENT AGREEMENT FOR INSTALLATION OF AUTOMATED RAILROAD HORN SYSTEMS. (DISTRICT I)

Agenda Report No. 99-230.

The discussion of possible neighborhood improvements along Bayley Street between the Arkansas River and Santa Fe Street included the possibility of upgrading train detection systems, and installing gates at several crossing locations. In recognition of the safety improvement related to this project, the Kansas Department of Transportation offered to fund the installation of an automated horn system at the remaining crossings in the neighborhood.

The installation of the horn system will replace the requirement of the train engineer to sound the train horn as the train travels through the corridor. The horn system will sound targeted warning blasts toward the approaching vehicular traffic which will result in a significant noise reduction in the corridor. The horn system will be installed at the following crossings:

Main at Bayley	St Francis, north of Bayley
Market at Bayley	Santa Fe, north of Bayley
Broadway at Bayley	Lincoln, east of Santa Fe
Topeka at Bayley	Emporia at Bayley

Work is scheduled to be completed by the end of this year.

The estimated cost for the Automated Railroad Horn System is \$324,222.40 and will be paid for by Federal Funds. There is no cost to the City.

Motion --
-- carried

Knight moved that the Agreement be approved and the Mayor be authorized to sign. Motion carried 7 to 0.

AUBURN HILLS DESIGN AGREEMENT FOR DESIGN SERVICES FOR AUBURN HILLS EIGHTH ADDITION - SOUTH OF MAPLE, EAST OF 135TH STREET WEST. (District V)

Agenda Report No. 99-231.

The City Council approved the Auburn Hills Eighth Addition plat on January 26, 1999.

The proposed Agreement between the City and Baughman Company, P.A. provides for the design of bond financed improvements in the Auburn Hills Eighth Addition. Per Administrative Regulation 7a, staff recommends the selection of Baughman Company because Baughman Company provided preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment will be on a lump sum basis of \$59,600, and will be paid by special assessments.

Motion --
-- carried

Knight moved that the Agreement be approved and the Mayor be authorized to sign. Motion carried 7 to 0.

SMITHMOOR DESIGN AGREEMENT FOR DESIGN SERVICES FOR SMITHMOOR EIGHTH ADDITION - SOUTH OF HARRY, EAST OF WEBB. (District II)

Agenda Report No. 99-232.

The City Council approved the Smithmoor Eighth Addition plat on July 28, 1998.

COUNCIL PROCEEDINGS

The proposed Agreement between the City and Municipal Engineers provides for the design of bond financed improvements in the Smithmoor Eighth Addition. Per Administrative Regulation 7a, staff recommends the selection of Municipal Engineers because Municipal Engineers provided preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment will be on a lump sum basis of \$12,770, and will be paid by special assessments.

Motion --
-- carried

Knight moved that the Agreement be approved and the Mayor be authorized to sign. Motion carried 7 to 0.

COUNCIL PROCEEDINGS

EASTERN BRIDGE

CONSTRUCTION AGREEMENT FOR EASTERN BRIDGE OVER GYPSUM CREEK AT ORME.

(District II)

Agenda Report No. 99-233.

On May 12, 1998, the City Council approved an Agreement with the Kansas Department of Transportation (KDOT) to rehabilitate the Eastern Bridge over Gypsum Creek at Orme. KDOT had agreed to take bids for the project and participate in the project funding. It has now been decided that the City will take bids for the project. A City/State Agreement has been prepared to replace the Agreement dated May 20, 1998.

The sufficiency rating of the Eastern Bridge over Gypsum Creek at Orme indicates that major repairs will be required within the next ten years to avoid further deterioration.

The estimated construction cost is \$620,000. KDOT will pay 80% of the costs. The funding source for the City's share is General Obligation Bonds.

Motion --
-- carried

Knight moved that the Agreement be approved and the Mayor be authorized to sign. Motion carried 7 to 0.

MERIDIAN AND BROADWAY

CONSTRUCTION AGREEMENTS FOR MERIDIAN AND BROADWAY. (Districts I, IV, and VI)

Agenda Report No. 99-234.

On April 7, 1998, the City Council approved Agreements with the Kansas Department of Transportation (KDOT) for reconstructing Meridian, from Maple to Central, and Broadway, from Kellogg to Douglas. KDOT had agreed to take bids for the projects and participate in the projects' funding. It has now been decided that the City will take bids for the projects. Two City/State Agreements have been prepared to replace the Agreements dated April 14, 1998.

Meridian will be widened to provide turn lanes and additional traffic-carrying capacity. The substandard four-lane road in Broadway will be replaced with four-lane arterial and esthetic enhancements.

The estimated construction cost for Meridian is \$1,900,000. The estimated construction cost for Broadway is \$1,900,000. KDOT will pay 80% of the costs. The funding source for the City's share is General Obligation Bonds.

Motion --
-- carried

Knight moved that the Agreements be approved and the Mayor be authorized to sign. Motion carried 7 to 0.

WEED AND SEED AGREEMENT

WEED AND SEED COST REIMBURSEMENT AGREEMENT.

Agenda Report No. 99-235.

The Weed and Seed Program is a federally funded grant program that brings together federal, state, and local crime-fighting agencies; social service providers; representatives of the public and private sectors; prosecutors; business owners; and neighborhood residents to "weed" out violent crime and gang activity, while "seeding" the community with social services and economic revitalization. The Weed and Seed Program is administered in "officially recognized" sites, and Wichita's officially recognized site has been selected for fourth-year site status eligibility. It is in the geographic area bounded by Central, I-135, 29th

COUNCIL PROCEEDINGS

Street North, and Hillside.

For federal fiscal year 1999, the federal funding for the "weeding" component of the Weed and Seed Program is from federal asset forfeiture funds through a Cost Reimbursement Agreement between the City and the Drug Enforcement Administration. The Cost Reimbursement Agreement is for \$50,000 to pay for police officer overtime, training, and vehicle rental costs. The document "FY 99 Request for Asset Forfeiture Funds" details the City's weeding strategy and use of funds.

The Cost Reimbursement Agreement with the Drug Enforcement Administration will reimburse the City for up to \$50,000 for police officer overtime, training, and vehicle rental costs utilized in the City's "weeding" efforts. No local match is required.

Motion --
-- carried

Knight moved that the Agreement be approved and the Mayor be authorized to sign. Motion carried 7 to 0.

COUNCIL PROCEEDINGS

CDBG BIG BROS & SISTERS CDBG CONTRACT-BIG BROTHERS AND SISTERS OF SEDGWICK COUNTY.

Agenda Report No. 99-236.

On October 20, 1998, the City Council allocated Community Development Block Grant (CDBG) funds of \$15,000 to Big Brothers and Sisters to match a United Methodist Health Ministry grant for the AClub Buddies@ program.

The contract with Big Brothers and Sisters provides partial funding for one staff person, rent and telephone expense. The program is a three year program to provide one to one mentors for 150 youth over the three year period.

Because the City has allocated the maximum public service dollars it can under the CDBG program, funds for this program will come from previously approved funds for operation of neighborhood centers. The maximum amount of the contract is \$15,000.

A contract has been negotiated with Big Brothers and Sisters of Sedgwick County and signed by the authorized representative.

Motion --
-- carried

Knight moved that the Contract be approved and the Mayor be authorized to sign. Motion carried 7 to 0.

WATER UTILITY RATE CONTRACT FOR WATER UTILITY RATE ANALYSIS.

Agenda Report No. 99-237.

The City=s current water rate structure was adopted in 1993 after a Cost-of-Service Analysis was completed. It has been in place for about five years, during which time the City has experienced a wide variety of weather patterns. On December 15, 1998, in addition to approving a 5% water rate increase effective January 1, 1999, City Council authorized staff to hire a professional firm to conduct a review of the current water rate structure.

A Request for Proposal was done for Utility Rate Analysis to which four firms responded: R. W. Beck, Black & Veatch, Burns & McDonnell, and Raftelis Financial Consulting. The Staff Screening and Selection Committee interviewed all four firms and voted to recommend Raftelis Financial Consulting.

Though Raftelis was not the lowest bid, the committee believed they demonstrated the best understanding of the desired analysis and offered a highly qualified team who had broad exposure to a variety of nation-wide rates. The amount of the Raftelis contract is \$38,000. Other bids ranged from \$26,100 to \$58,250.

All costs associated with preparation of this Utility Rate Analysis will be funded from water and sewer revenues.

Motion --
-- carried

Knight moved that the Contract be approved and the Mayor be authorized to sign. Motion carried 7 to 0.

CONTRACT EAST BANK CONTRACT AMENDMENT-DESIGN SERVICES FOR EAST BANK WATER WALK, PHASE II. (District I)

Agenda Report No. 99-238.

On November 28, 1995, the City Council approved a Contract with Gossen Livingston

COUNCIL PROCEEDINGS

Associates, Inc. to provide design concepts and cost estimates for the Water Walk project and a bonding Resolution in the amount of \$5,300,000 for the project. On April 30, 1996, the City Council approved design concepts for the Water Walk project, as well as the Douglas and Maple/Lewis Bridges, and authorized staff to negotiate design fees for the projects. On July 16, 1996, the Council approved a Contract amendment with Gossen Livingston Associates, Inc. to provide professional services for design, construction documents, bidding, and construction administration/inspection for Phase I of the Water Walk project. Construction of Phase I has been completed.

It is now time to implement Phase II of the Water Walk project, which is from the Douglas Street Bridge south to connect to the north terminus of Phase I of the project (approximately at the south edge of A. Price Woodard Park). In addition to continuation of the treatment at the river=s edge, limited maintenance type work will be designed in the park and replacement of lighting to be consistent with the Phase I of the Water Walk project is to be included. Staff has negotiated a similar Contract amendment with Gossen Livingston Associates, Inc. for professional services for Phase II of the Water Walk project consistent with the percentage fees approved for the earlier work. Services include design, design development, Contract documents, assistance during bidding, and construction administration. The fees include the services of an electrical engineer to prepare construction documents for the new lighting, and a structural engineer for the lower pool wall. The fee does not include a survey (as the need for a survey has not been determined) nor the preparation of as-built drawings. The Contract fee for Phase II is a lump sum amount of \$31,650, with reimbursable expenses not to exceed an additional \$3,575, for a total Contract amount of \$35,225.

Funds are available in the previously approved East Bank Water Walk project (CA-9210) budget of \$5,300,000; and the additional \$500,000 (CA-9210) included in the 1998-2007 approved CIP for the Water Walk project. The funding source is General Obligation Bonds.

Motion --
-- carried

Knight moved that the Contract be approved; the Mayor be authorized to sign and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-99-094

A Resolution finding it necessary to make certain improvements to the Arkansas River Riverbank, north of Kellogg, and authorizing the issuance of bonds by the City of Wichita at large. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

FLOOD PROJECT MOWING

WICHITA/VALLEY CENTER FLOOD PROJECT CONTROL MOWING.

Agenda Report No. 99-239.

Prior to 1993, the mowing of the Wichita/Valley Center Flood Control project property was done by the City/County Flood Control Section. Beginning in 1993, these mowing activities were transferred to the Park Department. The Park Department has been responsible for mowing the project from 1993 to the present.

Late in 1998, upon mutual agreement of both the Park Department and Public Works Department, it was decided to put the mowing out to public bid allowing any in-house department to bid on the work. On Friday, February 19, 1999, bids were received by the Purchasing Department. The Flood Control Section submitted the only bid for \$27.65 per acre. Two private contractors were present at the pre-bid conference, but did not submit bids.

By accepting the bid submitted by the Flood Control Section, the mowing of the project will

COUNCIL PROCEEDINGS

be returned to the Flood Control Section. Accordingly, the manpower and equipment previously transferred to the Park Department would be transferred back to the Flood Control Section. This will involve the following:

Equipment Operators	4 each
Tractors	4 each
Mowers	5 each
Boom Axe Tractor/Cutter	1 each
Spray Unit	1 each
Flatbed Truck	1 each
Transportation Vehicle	1 each

If the City Council approves the transfer of the mowing responsibilities from the Park Department to the Flood Control Section, there will be no impact on the Flood Control Budget. There will, however, be a loss in revenue to the Park Department Budget, but this will be offset by the transfer of manpower and equipment out of the Park Department Budget.

Motion --
-- carried

Knight moved that the mowing Contract be awarded to the Flood Control Unit, Department of Public Works. Motion carried 7 to 0.

DOUGLAS AVENUE BRIDGE CHANGE ORDER: DOUGLAS AVENUE BRIDGE OVER THE ARKANSAS RIVER. (Districts I and VI)

Agenda Report No. 99-240.

On May 5, 1998, the City Council approved a Contract to replace the Douglas Avenue Bridge over the Arkansas River. A part of the work involves driving piles into the riverbed to support the structure, and installing a new electrical system.

It was decided to move the location of the electrical service panel box from the park area on the south side of Douglas, east of the bridge to the north side of Douglas just west of the Broadview Hotel. This work will include installing a 4" conduct from the southwest corner of Douglas and Waco around to the northeast corner of the new bridge. A retaining wall and guard rail will be required at the

COUNCIL PROCEEDINGS

new location. The project requires 240 volts, but it was discovered that the power servicing the project is 208 volts. Therefore, a transformer will be required to convert the power.

While installing the permanent sheet piling on the east river bank, it was discovered that the existing sheeting was corroded completely through in some areas. On the north end of the project 40.40 feet as well as 43.89 feet on the south end will have a new concrete cap installed over the sheet pile and have new concrete placed for the East Bank River Walk next to this sheeting. Approximately 41 feet on the north, and 44 feet of sheet piling on the south ends of the project will be placed.

The cost of the additional piling and electrical work is \$31,742. Funding is available within the \$7,200,000 project budget. The funding source is a combination of General Obligation Bonds and Federal Grants administered by the Kansas Department of Transportation.

Motion --
-- carried

Knight moved that the Change Order be approved and the Mayor be authorized to sign. Motion carried 7 to 0.

FIREFIGHTERS RELIEF FUND DECLARATION FOR PARTICIPATION IN FIREFIGHTERS RELIEF FUND FOR 1999.

Agenda Report No. 99-241.

The Declaration for Participation must be executed and filed each year to allow the local Firefighters Relief Association to participate in the distribution of the State Firefighters Relief fund Tax. This distribution will be for the year 1998.

The Wichita Firemen=s Relief Association received \$526,774.14 in the 1997 distribution and \$522,461.40 in 1998 distribution. The City has had a Wichita Firemen=s Relief Association since 1896 and has participated in the the Association for more than 80 years. The certification is for calendaryear 1999.

The Firefighters Relief fund was created by K.S.A. 40-1701 and K.A.R. 40-10-1, et seqs.

Motion --
-- carried

Knight moved that the Declaration be approved and the Mayor be authorized to sign. Motion carried 7 to 0.

CORRECTING RESOLUTION CORRECTING RESOLUTION: WATER DISTRIBUTION SYSTEM TO SERVE AN AREA NORTH OF 46TH STREET NORTH, EAST OF THE LITTLE ARKANSAS RIVER. (District VI)

Agenda Report No. 99-242.

On November 4, 1997, the City Council approved a Petition for a Water Distribution System to serve an area north of 46th Street North, east of the Little Arkansas River. The authorizing Resolution contains an error in the description of two unplatted tracts.

A new Resolution has been prepared that corrects the error. The new Resolution is in compliance with the Petition and the notice letter sent to owners of property in the improvement district.

Motion -- carried

Knight moved that the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-99-095

Resolution of findings of advisability and Resolution authorizing construction of Water

COUNCIL PROCEEDINGS

Distribution System Number 448-89216 (north of 46th Street North, east of the Little Arkansas River) in the City of Wichita, Kansas. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

AIRPORT GO NOTE SALE GENERAL OBLIGATION AIRPORT TEMPORARY NOTE SALE - SERIES A, 1999 (TAX EXEMPT) AND SERIES B, 1999 (SUBJECT TO AMT).

Agenda Report No. 99-243.

The Wichita Airport Authority ("WAA") adopted a resolution on March 1, 1999 requesting the City Council to approve the issuance of two series of general obligation temporary notes with an aggregate total not to exceed \$4,260,000 for capital improvement projects at Mid-Continent Airport. The public sale of the aforementioned notes is scheduled for 10:30 a.m. on April 6, 1999 at which time sealed bids will be opened and the City Council will award the sale of the series of notes to the bidder whose proposed interest rates result in the lowest overall cost to the City.

The temporary financing will be composed of General Obligation Airport Renewal and Improvement Temporary Notes, Series A, 1999 (Tax Exempt), in the principal amount of \$1,375,000 and Series B, 1999 (Subject to AMT) in the principal amount of \$2,885,000. The Series B, 1999 Notes are subject to the alternative minimum tax ("AMT") because the improvements being financed directly benefit private businesses at the airports, such as the airlines.

Both series of temporary notes will mature on April 27, 2000 and will be retired at that time, either with PFCs, the proceeds from the sale of permanent financing bonds or renewal notes. The Wichita Airport Authority has pledged the net income of the airport facilities for payment of the principal and interest on any and all financing to be issued.

Motion --
-- carried

Knight moved that the Resolution authorizing the sale of general obligation airport notes be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-99-096

A Resolution of the City of Wichita, Kansas, declaring that Airport Capital Improvements, including terminal building improvements, facility improvements, roadway and parking improvements, utility improvements and data processing systems at Wichita Mid-Continent Airport, and improvements necessary or incidental to the aforesaid, have been or will be made; accepting the pledge of net income of the said Airport Facility to the City for the payment of permanent and temporary financing issued by the city for the costs of such Airport capital improvements; directing the giving of notice of a public hearing in connection with the issuance of such permanent and temporary financing which may be issued by the City for the costs of such Airport capital improvements; authorizing the issuance by the City of temporary financing in the aggregate amount of \$4,260,000 for such purpose; authorizing and providing for the public sale of temporary notes of the City for such purpose; and providing for the giving of notice of the public sale. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

AIRPORT CAPITAL PROJECT AIRPORT CAPITAL PROJECT - RUNWAY LIQUID MATERIAL SPREADER VEHICLE.

Agenda Report No. 99-245.

The project is Runway Liquid Material Spreader Vehicle (A-14) and represents the

COUNCIL PROCEEDINGS

purchase of capital equipment that will be used at Mid-Continent Airport subject to further action and approval by the Authority. This project was initiated by the Authority on February 16, 1999. The project utilizes funding from the Federal Aviation Administration and from Passenger Facility Charges. The project has been included in the Capital Improvement Program of the City of Wichita.

The maximum permanent financing term for this project would be 10 years. A request to use Passenger Facility Charge collections to ultimately fund the local share of the eligible costs of this project will be submitted to the Federal Aviation Administration, however, interim temporary financing may be needed. This action approves only the intent to use City of Wichita bonding authority in the future and does not specifically authorize the issuance of debt nor does it preclude the use of any substitute funding source.

The estimated maximum debt to be incurred, based on the best present information, is \$14,500.

Motion --
-- carried

Knight moved that the Notice of Intent be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-99-097

A Resolution declaring that a public necessity exists for, and that the public safety, service, and welfare will be advanced by, the purchase of certain capital equipment for use at the Wichita Mid-Continent Airport facility operated by the Wichita Airport Authority of the City of Wichita, Kansas. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

COUNCIL PROCEEDINGS

PROPERTY ACQUISITIONS ACQUISITION OF 4625 WEST CENTRAL (TRACT #1) FOR THE CENTRAL AVENUE IMPROVEMENT PROJECT FROM WEST STREET TO I-235. (District IV)

Agenda Report No. 99-246.

The Central Avenue Improvement Project from West Street to I-235 was approved by the City Council on October 13, 1996. The project requires the acquisition of eleven tracts along Central Avenue. One of these properties is located at 4625 West Central and is owned by John and Evalee Walker. The site is legally described as Lots 23 and 24, Block 1, Orchard Park Addition, to Wichita, Sedgwick County, Kansas except the South 25 feet of the west 112 feet of Lot 23. The site contains 10,025 square feet and is improved with a 1,173 square foot single-family residence.

The project requires the north five feet of the property. The taking will involve the structure of the house as well as several trees. The property was appraised for \$35,000. This amount was offered to the owner. The owner countered the offer at various levels from \$66,000 down to \$45,000. The property was approved for condemnation by the City Council on January 26, 1999. Additional negotiations resulted in a price of \$38,500. This amount is recommended to avoid the time and cost of condemnation.

The budget of \$50,000 includes \$38,500 for acquisition, \$1,500 for closing and title work, and \$10,000 for relocation and demolition. This is the tenth acquisition approved for the project. Total expenditures to date, including the proposed budget are \$57,650. There is one additional tract to be acquired.

Motion --
-- carried

Knight moved that the budget and contract be approved and the Mayor be authorized to sign the necessary documents. Motion carried 7 to 0.

PROPERTY ACQUISITIONS ACQUISITION OF PORTION OF 642 NORTH BEBE (TRACT #11) FOR THE CENTRAL AVENUE IMPROVEMENT PROJECT FROM WEST STREET TO I-235. (District IV)

Agenda Report No. 99-247.

The Central Avenue Improvement Project from West Street to I-235 was approved by the City Council on October 13, 1996. The project requires the acquisition of eleven tracts along Central Avenue. One of these tracts is located at the northwest corner of 642 North Bebe and is owned by Forest L. Barger.

The project requires a triangle containing approximately 112.5 square feet from the northwest corner of the property. Market analysis indicates a value of \$4.00 per square foot or \$450 for the parcel. This amount was offered to the owner. He rejected this offer without a counter offer. The parcel was approved for condemnation by the City Council on January 26, 1999. After additional negotiations, the owner agreed to a price of \$1,500. By accepting this offer, the City will avoid the time and cost of condemnation.

The budget of \$1,600 includes \$1,500 for acquisition and \$500 for closing and title work. This is the final acquisition approved for the project. Total expenditures to date, including the proposed budget are \$59,250.

Motion --
-- carried

Knight moved that the budget and contract be approved and the Mayor be authorized to sign the necessary documents. Motion carried 7 to 0.

PROPERTY ACQUISITION EASEMENT ACQUISITION-WAR INDUSTRIES RELIEF SEWER PROJECT. (District III)

COUNCIL PROCEEDINGS

Agenda Report No. 99-248.

Certain areas of Southeast Wichita have suffered sewer backup into residential basements as a result of heavy rainstorms that caused significant inflow and infiltration into the sanitary sewer system. The existing 24 inch and 42 inch parallel interceptor sewer lines did not have sufficient capacity during these heavy rainstorms to handle the sewage discharge and the inflow and infiltration of the storm water into the existing system

To eliminate these sewer backups in the War Industries southern sewer service area Wichita Water and Sewer Department proposed the 36 inch War Industries Relief Sewer. A new 36 inch pipeline is required to be constructed from an area west of Joyland Amusement Park northeasterly to Kellogg and Eastern Street.

In order to construct the 36 inch line relief sewer line permanent and temporary easements need to be acquired from Pawnee to Hillside Ave. The City has successfully negotiated the purchase of nine of the eleven privately owned permanent and temporary easements needed for the installation of the 36 inch line. The following are the tracts and purchase amounts accepted:

Tract #14	Wilson Atkinson	\$ 100.00	Tract #15
Rising Star Baptist Church	200.00		
Tracts #17, #18 & #19	Jack McDermott	2,000.00	
Tracts #24, #25 & #26	TMB Service Corp.	2,110.60	
Tract # 28	Premier Profits, Inc.	2,250.00	

This amounts to a total of \$6,660.60 for nine privately owned permanent and temporary construction easements leaving two privately owned easements to be acquired for the Phase 2 project area between Hillside and Pawnee.

Funds for the property are available through the War Industries Relief Sewer Project - Phase 2, as approved by the Council. The easements will cost \$6,660.60 per the easement agreements.

Motion --
-- carried

Knight moved that the budget and contract be approved and the Mayor be authorized to sign the necessary documents. Motion carried 7 to 0.

ORDINANCES

SECOND READING ORDINANCES. (First read March 2, 1999)

a. (490-573/764712/472-82567)

ORDINANCE NO. 44-151

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Stafford Court and Stafford Circle, Prairie Woods Addition - north of Pawnee, east of Maize, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

b. (490-578/764761/472-82608)

ORDINANCE NO. 44-152

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Meadow Grove/Lake Ridge, Meadow Grove Court, and sidewalk along the north and west line of Meadow Grove/ Lake Ridge - east of Tyler, north of 21st Street, read for the second time.

COUNCIL PROCEEDINGS

Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

c. (490-563/764605/472-82681)

ORDINANCE NO. 44-153

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving Keith, Brookridge, Wedgewood, Keith Courts, Wedgewood Court, Brookridge Courts and sidewalk - west of Tyler, south of 29th Street North, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

d. (490-590/764886/472-82703)

ORDINANCE NO. 44-154

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Cooper, Marion, Cypress and Scott - south of Pawnee, west of Webb, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

e. (490-586/764845/472-82766)

ORDINANCE NO. 44-155

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving 50th Street South, Mt. Carmel, Custer, Custer Circle and sidewalk in Stonebriar Addition - west of Meridian, south of 47th Street South, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

f. (490-592/764902/472-82796)

ORDINANCE NO. 44-156

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of paving of Stoneybrook and Goebel in Brentwood Village Addition - south of Harry, east of Webb, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

g. (490-548/764456/472-82844)

ORDINANCE NO. 44-157

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving Red Brush/Paddock Green, Red Brush Court, Paddock Green Court and sidewalk - south of 21st Street, east of Rock, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

h. (490-604/764993/472-82860)

COUNCIL PROCEEDINGS

ORDINANCE NO. 44-158

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving Shiloh and Mt. Vernon in Smithmoor Seventh Addition - south of Harry, east of Webb Road, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

I. (490-559/764563/472-82870)

ORDINANCE NO. 44-159

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving Lake Ridge, Westlakes, Forest Ridge, Forest Park, Lake Ridge Courts and Sidewalk - north of 29th Street, east of Tyler, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

j. (490-556/764530/472-82861)

ORDINANCE NO. 44-160

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Mascott from 27th Street to 29th Street North, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

k. (490-561/764589/472-82876)

ORDINANCE NO. 44-161

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Meridian from the north line of 25th Street North to the south line of Halstead, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

l. (490-579/764779/472-82885)

ORDINANCE NO. 44-162

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving Meadow Pass, Lake Ridge and sidewalk along the south line of Meadow Pass, along the

COUNCIL PROCEEDINGS

west line of Lake Ridge - east of Tyler, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

m. (490-568/764662/472-82887)

ORDINANCE NO. 44-163

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of paving of 26th Street North, west of Clarence to the west line of Clarence, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

n. (490-584/764829/472-82893)

ORDINANCE NO. 44-164

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Dora, May, Cardington, Dora Court, May Circle, and sidewalk in Lark Sixth Addition - south of Kellogg, east of 119th Street West, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

o. (490-585/764837/472-82894)

ORDINANCE NO. 44-165

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Carr, Carr Courts, and sidewalk in Lark Sixth Addition- south of Kellogg, east of 119th Street West, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

p. (490-580/764787/472-82905)

ORDINANCE NO. 44-166

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Baker Street, from 11th Street North to 13th Street North, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

q. (490-593/764910/472-82908)

ORDINANCE NO. 44-167

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Rita and Rita Courts in Lindsay's Orchard Addition- north of Pawnee, west of Maize, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

r. (490-583/764811/472-82914)

COUNCIL PROCEEDINGS

ORDINANCE NO. 44-168

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of paving of Anna from Walker to Irving to serve West 54 Industrial Addition - west of West Street, south of Kellogg, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

s. (490-597/764951/472-82933)

ORDINANCE NO. 44-169

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Leecrest/Stafford, Stafford Court, Haskell, and sidewalks in Prairie Woods Second Addition - north of Pawnee, west of Maize, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

t. (490-609/765073/472-82955)

ORDINANCE NO. 44-170

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Evans Street, from west line of Lot 1, to the east line of Lot 1, Pursley Addition, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

u. (490-613/765115/472-89245)

ORDINANCE NO. 44-171

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Cul-De-Sac at the south end of Eastmoor Circle - east of Rock Road, south of Pawnee, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

v. IRB - FlightSafety

An Ordinance authorizing the City of Wichita, Kansas (the ACity@) to issue its adjustable mode Airport Facility Refunding and Improvement Revenue Bonds in the aggregate principal amount of \$26,170,000 for the purpose of providing funds to pay the costs of acquiring, purchasing, installing and equipping a flight training facility located in the City of Wichita, Kansas and refunding certain outstanding tax-exempt adjustable mode Airport Facility Revenue Bonds of the City (the A1992 Bonds@); prescribing the form and authorizing execution of a trust indenture by and between the City and First-Citizens Bank & Trust Company, as trustee with respect to the Bonds; prescribing the form and authorizing the execution of a lease by and between the City and Flightsafety International, Inc. (the ATenant@); approving the form of a guaranty; approving the form of a remarketing agreement; authorizing the execution of a placement of agreement by and between the City, the Tenant and Wachovia Capital Markets, Inc., as the placement agent for the Bonds; and authorizing the execution of a supplemental indenture providing for the defeasance of the 1992 Bonds, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen,

COUNCIL PROCEEDINGS

Lambke, Rogers, Knight.

w. DR 98-9 Subdivision Regulations.

ORDINANCE NO. 44-212

An Ordinance creating Section 28.05.010 of the Code of the City of Wichita and adopting by reference the AWichita-Sedgwick County Subdivision Regulations, January 28, 1999 Edition,@ prepared by the Metropolitan Area Planning Commission; and repealing the Wichita-Sedgwick County Subdivision Regulations which were adopted on January 15, 1968, and were last amended on August 29, 1997, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

x. Broadway, Kellogg to Douglas.

ORDINANCE NO. 44-213

An Ordinance declaring Broadway, from Kellogg to Douglas Avenue (472-82412) to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

COUNCIL PROCEEDINGS

y. A 99-12 - Annexation.

ORDINANCE NO. 44-214

An Ordinance including and incorporating certain blocks, parcels, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight. (A 99-12)

FIRST READING ORDINANCES FIRST READING ORDINANCES:

a. Special assessment to pay for the cost of cutting weeds.

ORDINANCE

An Ordinance making a special assessment to pay for the cost of cutting weeds in the City of Wichita, Kansas, introduced and under the rules laid over.

REVISED ORDINANCE: 1998/1999 INTERSECTION PROGRAM. (Districts I, III, IV, and V)

Agenda Report No. 99-244.

On June 23, 1998, the City Council approved the 1998/1999 Intersection Reconstruction Program. City funds are combined with Federal grants administered by the Kansas Department of Transportation (KDOT) to fund improvements to arterial streets within the community. The City's contribution depends on the type of project, but ranges from 10% to 35% of project cost. KDOT has billed the City for the final installment of several projects that have been completed. An Ordinance has been prepared to authorize Bond financing of the payments.

The project locations are: 13th Street at Grove; Pawnee at West Street; Hydraulic, from 31st Street South to MacArthur (includes the twin bridges over the Arkansas River); Maize, from Central to 13th; and 47th Street South at Emporia.

The payments to KDOT total \$109,367. Funding is available within the \$2,423,000 City Budget. The funding source of the City share is General Obligation Bonds.

Motion --
-- carried

Knight moved that the Ordinance be placed on first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance declaring Maple at Seneca, 13th North at Waco; Meridian at McCormick; Semeca at McCormick; Pawnee at Hillside; 13th North at Broadway; 21st North at Mosley; Pawnee at Oliver; intersection of Central, Meridian, McLean; 13th North at Grove; Lincoln at Edgemoor; Lincoln at Woodlawn; Pawnee at West; Maize Road, between Central and 13th North; 47th South at Emporia; Hydraulic, between 31st South and MacArthur (1998-1999 Intersection Reconstruction Program) (472-82910) to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same, introduced and under the rules laid over.

PLANNING AGENDA

COUNCIL PROCEEDINGS

Marvin Krout Director of Planning stated that Items 42, 45 through 51, and 54 and 55 could be considered as consensus Items.

Motion -- Knight moved that Planning Agenda Items 42, 45 through 51, and 54 and 55 be
-- carried approved as consensus Items. Motion carried 7 to 0.

V-2152 **V-2152 - REQUEST TO VACATE A PORTION OF A BUILDING SETBACK LOCATED IN AN AREA NORTH OF 21ST STREET NORTH AND WEST OF MAIZE ROAD.** (District V)

(Item No. 42)

Marvin Krout Director of Planning reviewed the Item.

Agenda Report No. 99-249.

MAPC Recommendation: Approve vacation of a portion of a building setback.

Staff Recommendation: Approve vacation of a portion of a building setback.

Motion -- Ferris moved that the vacation order be approved and the Mayor be authorized to
-- carried sign. Motion carried 7 to 0.

(Item No. 43)

V-2156 **PUBLIC HEARING V-2156 - REQUEST TO VACATE BUILDING SETBACK ON JM OFFICE PARK ADDITION LOCATED IN AN AREA SOUTH OF 21ST STREET NORTH AND WEST OF CARMEN.** (District I)

Agenda Report No. 99-250.

Staff Recommendation: Approve vacation of a portion of a building setback.

MAPC Recommendation: Approve vacation of a portion of a building setback.

The applicant is requesting to vacate a portion of a 35 foot platted building setback to allow for the construction of a canopy as close as 12 feet to the property line along 21st Street. The canopy is part of the proposed construction of a new hotel on this lot. The Unified Zoning Code allows canopies to protrude eight feet into the zoning setback, which is 20 feet.

A Conditional Use request to allow ancillary parking on two lots south of the hotel was approved by the Planning Commission on February 25th. A variance request was approved by the Board of Zoning Appeals on February 23rd to increase the permitted height of the building to 57 feet.

No one spoke in opposition to this request at the MAPC, and the MAPC voted to approve the vacation.

Marvin Krout Director of Planning reviewed the Item.

The Notice was published as required by law.

Mayor Knight Mayor Knight inquired whether anyone wished to speak and no one appeared.

Motion -- Rogers moved that the public hearing be closed, and the vacation order be approved
-- carried and the Mayor be authorized to sign. Motion carried 7 to 0.

(Item No. 44)

V-2157 **PUBLIC HEARING V-2157 - REQUEST TO VACATE A PORTION OF A UTILITY EASEMENT LOCATED IN AN AREA SOUTH OF 37TH STREET NORTH AND EAST OF**

COUNCIL PROCEEDINGS

CAMERON, 3520 NORTH CAMERON. (District I)

Agenda Report No. 99-251.

Staff Recommendation: Approve vacation of a portion of a utility easement.

MAPC Recommendation: Approve vacation of a portion of a utility easement.

The applicant is requesting to vacate a portion of a utility easement to allow the construction of a swimming pool.

The Subdivision Committee and Planning Commission approved the request, subject to the applicant dedicating an additional six feet of utility easement on the east side of the existing easement to maintain a 20 foot wide utility easement and also that the swimming pool be constructed no closer to any utility lines than five feet. No one spoke in opposition to this request on the Subdivision meeting or the MAPC.

Marvin Krout

Director of Planning reviewed the Item.

The Notice was published as required by law.

Mayor Knight

Mayor Knight inquired whether anyone wished to speak and no one appeared.

Motion --

Rogers moved that the Public Hearing be closed; the dedication be received and filed; the Vacation be approved and the Mayor be authorized to sign. Motion carried 7 to 0.

-- carried

(Item No. 45)

S/D 98-27

S/D 98-27 - PLAT OF FRIENDS UNIVERSITY SECOND ADDITION LOCATED EAST OF MERIDIAN, NORTH OF KELLOGG DRIVE.

(District VI)

Agenda Report No. 99-252.

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat.

This plat is zoned B, Multi-Family Residential. City water and sanitary sewer services are currently available to serve this site. The applicant has provided a private sanitary sewer easement to cover sanitary sewer service lines serving adjoining lots.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

Motion --

C carried

Knight moved that the plat and document be approved and the Mayor be authorized to sign. Motion carried 7 to 0.

(Item No. 46)

S/D 98-70

S/D 98-70 - PLAT OF LAWRENCE DEVELOPMENT First ADDITION LOCATED ON THE SOUTHWEST CORNER OF 21ST STREET AND RIDGE ROAD. (District V)

Agenda Report No. 99-253.

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat.

This site was recently annexed and is zoned LC, Limited Commercial.

A petition, 100%, has been submitted for sanitary sewer improvements. City water is

COUNCIL PROCEEDINGS

currently available to serve the site. A Certificate of Petitions has also been submitted.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

The Certificate of Petitions will be recorded with the Register of Deeds.

Motion --

Knight moved that the Documents and Plat be approved and the Mayor be authorized to sign; and the Petition be approved and the and the Resolution be adopted.

-- carried

Motion carried 7 to 0.

RESOLUTION NO. R-99-098

Resolution of findings of advisability and Resolution authorizing construction of Lateral 37, Main 15, Southwest Interceptor Sewer (south of 21st, west of Ridge) Project No. 468-82931 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

(Item No. 47)

S/D 98-72

S/D 98-72 - PLAT OF PLAZA CENTRAL OFFICE PARK ADDITION LOCATED ON THE SOUTH SIDE OF CENTRAL, WEST OF 127TH STREET EAST. (District II)

Agenda Report No. 99-254.

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat.

Sanitary sewer services are currently available from the County=s Four Mile Creek sanitary sewer system. A zone change (Z-3262) from SF-6, Single-Family Residential to GO, General Office has been approved for this site subject to replatting. The site is also subject to a protective overlay which addresses use restrictions, floor area, signs, architectural controls, height limits, setbacks and access controls.

Petitions, 100%, have been submitted for paving, drainage and water improvements. A Certificate of Petition has also been submitted. In order to provide for the ownership and maintenance of the reserves, the applicant has submitted a restrictive covenant. In order to provide for sufficient right-of-way for Jackson, the applicant has obtained an off-site dedication of right-of-way. To provide for shared access between the lots, a joint access easement has been submitted. A Notice of Protective Overlay has been provided identifying the approved Protective Overlay.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days. Publication of the ordinance should be withheld until such time as the Plat is recorded with the Register of Deeds.

Motion --

The Certificate of Petitions, restrictive covenant, right-of-way dedication, joint access easement and Notice of Protective Overlay will be recorded with the Register of Deeds. Knight moved that the Petitions be approved and the Resolutions be adopted; the plat be approved and the Mayor be authorized to sign; the document(s) be received and filed; and the associated zone change Z-3262 Ordinance be placed on first reading. Motion carried 7 to 0.

C carried

RESOLUTION NO. R-99-099

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89375 (south of Central, east of Greenwich) in the City of

COUNCIL PROCEEDINGS

Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

RESOLUTION NO. R-99-100

Resolution of findings of advisability and Resolution authorizing construction of Storm Water Drain No. 143 (south of Central, east of Greenwich) Project No. 468-82976 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

RESOLUTION NO. R-99-101

Resolution of findings of advisability and Resolution authorizing improving of Jackson, from the south line of Central to the south line of Lot 4, Block 1, Plaza Central Office Park, Project No. 472-83089 (north of Pawnee, west of Maize) Project No. 468-82976 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, introduced and under the rules laid over. Z-3262

(Item No. 48)
S/D 98-84

S/D 98-84 - PLAT OF CHAPEL HILL ADDITION LOCATED ON THE NORTH SIDE OF 13TH STREET NORTH, ON THE WEST SIDE OF K-96. (District II)

Agenda Report No. 99-255.

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat.

A zone change (SCZ-0767) from SF-20, Single-Family Residential to TF-3, Two-Family Residential has been approved for a portion of this site subject to platting. Subsequent to the zone change, the site has been annexed by the City.

Although this site is in the City of Wichita, it will use the County's Four Mile Creek sanitary sewer system and a petition for sewer improvements will be handled by the County. Other petitions, 100%, have been submitted for paving, sidewalks and drainage improvements. sanitary sewer improvements. Both a City and County Certificate of Petition has also been submitted. In order to provide for the ownership and maintenance of the reserves, the applicant has submitted a restrictive covenant. To provide for off-street parking for lots adjacent to narrow streets, a covenant has also been submitted requiring that four (4) off-street spaces be provided for each such lot. In order to allow for the platting of a street with a narrow or nonstandard right-of-way dedication, a 15-foot street, drainage, and utility easement was platted with a covenant restricting the use of easements.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days. Publication of the ordinance should be withheld until such time as the Plat is recorded with the Register of Deeds.

The certificate of petitions and restrictive covenant, will be recorded with the Register of

COUNCIL PROCEEDINGS

Deeds.

COUNCIL PROCEEDINGS

Motion --

Knight moved that the Petition be approved and the Resolution be adopted; the plat be approved and the Mayor be authorized to sign; the document(s) be received and filed; and the associated zone change SCZ-0767 Ordinance be placed on first reading. Motion carried 7 to 0.

C carried

RESOLUTION NO. R-99-102

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89370 (north of 13th, east of Greenwich) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

RESOLUTION NO. R-99-103

Resolution of findings of advisability and Resolution authorizing improving of Chapel Hill/Crestwood/Bedford/Summerfield Loop Street from the north line of 13th Street north to Summerfield, Project No. 472-83077 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, introduced and under the rules laid over. (SCZ-0767)

(Item No. 49)

S/D 98-88

S/D 98-88 - PLAT OF ANDERSON PROPERTIES ADDITION LOCATED ON THE NORTH SIDE OF 13TH STREET, EAST SIDE OF SHERIDAN. (District VI)

Agenda Report No. 99-256.

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat.

A zone change (Z-3282) from SF-6, Single-Family Residential to OW, Office Warehouse has been approved for this site subject to platting.

As required by the drainage plan for this site, a cross-lot drainage agreement has been obtained by the Applicant.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days. Publication of the ordinance should be withheld until such time as the Plat is recorded with the Register of Deeds.

The cross-lot drainage agreement will be recorded with the Register of Deeds.

Motion --

Knight moved that the plat be approved and the Mayor be authorized to sign; the document (s) be received and filed; and the associated zone change Z-3282 Ordinance be placed on first reading. Motion carried 7 to 0.

C carried

ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the

COUNCIL PROCEEDINGS

City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, introduced and under the rules laid over. (Z-3282)

(Item No. 50)
S/D 98-114

S/D 98-114 - PLAT OF MULLEN-BUTLER ADDITION LOCATED ON THE SOUTH SIDE OF CENTRAL, WEST OF HOOVER. (District V)

Agenda Report No. 99-257.

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat.

A zone change (Z-3302) from SF-6, Single-Family Residential to LC, Limited Commercial has been approved for this site subject to replatting.

Municipal water and sanitary sewer are available to this site. A petition, 100%, has been submitted for paving improvements. A Certificate of Petition has also been submitted. This site is within the noise impact area of the Wichita Mid-Continent Airport and an avigational easement and restrictive noise covenant were required.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days. Publication of the ordinance should be withheld until such time as the Plat is recorded with the Register of Deeds.

The Certificate of Petitions, restrictive covenant, and avigational easement will be recorded with the Register of Deeds.

Motion --

Knight moved that the Petition be approved and the Resolution be adopted; the plat be approved and the Mayor be authorized to sign; the document(s) be received and filed; and the associated zone change (Z-3302) Ordinance be placed on first reading. Motion carried 7 to 0.

C carried

RESOLUTION NO. R-99-104

Resolution of findings of advisability and Resolution authorizing improving of Boyd Street, from the south line of Mullen-Butler Addition to a point 104 feet south of the south line of Central Avenue, Project No. 472-83090 (north of Central, west of I-235) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, introduced and under the rules laid over. (Z-3302)

(Item No. 51)
S/D 99-4

S/D 99-4 - PLAT OF SEABURN ADDITION LOCATED ON THE NORTHEAST CORNER OF MERIDIAN AND 37TH STREET NORTH.

(District VI)

Agenda Report No. 99-258.

Staff Recommendation: Approve the plat.

COUNCIL PROCEEDINGS

MAPC Recommendation: Approve the plat. (13-0)

This plat is zoned SF-6, Single-Family Residential. City water and sanitary sewer services are currently available to serve this site.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

Motion --
-- carried

Knight moved that the plat be approved and the Mayor be authorized to sign
Motion carried 7 to 0.

(Item No. 52)
DP-240

DP-240 - REQUEST FOR THE CREATION OF FOUNTAIN SQUARE COMMUNITY UNIT PLAN, GENERALLY LOCATED NORTH OF K-96 AND WEST OF WEBB ROAD. (District II)

Agenda Report No. 99-259.

MAPC Recommendation: Approve, subject to conditions.

CPO Recommendation: Approve, subject to conditions.

Staff Recommendation: Approve, subject to conditions.

Motion --

Knight moved that having reviewed the record of hearing before the MAPC and in accordance with Policy No. 10 of the MAPC previously adopted by this Board, and having reviewed the factors contained therein and the factors stated by the MAPC, the recommendation of the MAPC be approved, subject to the recommended conditions.
Motion carried 7 to 0.

-- carried

COUNCIL PROCEEDINGS

(Item No. 53)
Z-3309

Z-3309 - ZONE CHANGE REQUEST FROM MF-18 MULTI-FAMILY AND AGO@ GENERAL OFFICE TO AGO@ GENERAL OFFICE AND ALC@ LIMITED COMMERCIAL, LOCATED NORTH OF 21ST STREET NORTH AND WEST OF MAIZE ROAD. (District V)

Marvin Krout

Director of Planning reviewed the Item.

Agenda Report No. 99-260.

MAPC Recommendation: Approve, subject to conditions of a protective overlay #49.

CPO Recommendation: Approve, subject to conditions.

Staff Recommendation: Approve, subject to conditions.

Mayor Knight momentarily absent with Vice Mayor Gale in the Chair.

Council Member Ferris

Council Member Ferris said he was concerned with the number of curb cuts and said he would recommend five curb cuts instead of six or seven.

Jerry Jones

Jerry Jones said a curb cut could be given up. Something of value is being given up but, in a spirit of cooperation, it could be done.

Council Member Ferris

Council Member Ferris said if, in the future, an additional curb cut is seen as a necessity, the applicant could return with a request for consideration.

Motion --

Ferris moved that having reviewed the record of hearing before the MAPC and in accordance with Policy No. 10 of the MAPC previously adopted by this Board, and having reviewed the factors contained therein and the factors stated by the MAPC, the recommendation of the MAPC be approved, subject to the recommended conditions, and the modification of five openings along Maize frontage instead of the recommended number; and the Ordinance be placed on first reading. Motion carried

-- carried

7 to 0.

ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, introduced and under the rules laid over. Z-3309

(Item No. 54)
A 99-1

A 99-1 - THE CITY OF WICHITA SEEKS THE ANNEXATION OF FIVE (5) STREET RIGHT OF WAY SEGMENTS IN VARIOUS LOCATIONS. (Districts II, IV, V, and VI)

Agenda Report No. 99-261.

Recently the Public Works Departments of the City of Wichita and Sedgwick County reviewed the arterial streets on the periphery of the City to determine if certain arterial street segments should be annexed by the City of Wichita. Street segments were considered for annexation if property on both sides of the street is in the City or if most of the traffic on the street segment is generated by developed property in the City. This review identified five (5) street right of way segments in various locations that should be for annexed. These street segments are generally located at: 1) 21st Street North and Ridge Road, 2) 29th Street North and Ridge Road, 3) 55th Street South and Meridian, 4) 61st Street North and Meridian, and 5) Mt. Vernon and Webb Road.

21st Street North and Ridge Road: The traffic at the intersection of 21st Street North and Ridge Road and on the one-half mile segment of Ridge Road. south of 21st Street North is generated primarily by developed properties in the City located to the north and west. The

COUNCIL PROCEEDINGS

remaining traffic in the area is generated by the County Extension Office, Sedgwick County Park, and the County Zoo. The segments of 13th St. North, 21st Street North, Windmill Road, and Zoo Boulevard that front these County-owned properties will remain in the County and will continue to be maintained by County Public Works.

29th Street North and Ridge Road: The one-quarter mile segment of Ridge Road north and south of the intersection with 29th Street North has property on both sides of the road that is located in the City.

55th Street South and Meridian: The one-quarter mile segment of Meridian north of 55th Street. South at the entrance to South Lakes Park will have property on both sides of the road that is located in the City once the remainder of South Lakes Park is annexed. A separate annexation ordinance for the remainder of South Lakes Park will be presented to the City Council in the next few months.

COUNCIL PROCEEDINGS

61st Street North and Meridian: The traffic on the one-half mile segment of 61 Street northwest of Meridian is generated primarily by the Fox Meadows Addition that was recently annexed by the City.

Mt. Vernon and Webb Road: The one-quarter mile segment of Webb Road north of Mt. Vernon has property on both sides of the road that is located in the City.

The City Public Works Department estimates the annual maintenance cost of the street segments proposed for annexation to be:

<u>Street Segment</u>	<u>Annual Maintenance Cost</u>
21st Street North and Ridge Road	\$ 8,930
29th Street North and Ridge Road	7,510
55th Street South and Meridian	1,880
61st Street North and Meridian	2,400
Mt. Vernon and Webb	<u>2,120</u>
	\$22,840

Motion --
-- carried

Knight moved that the annexation request be approved and the annexation Ordinance be placed on first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto, introduced and under the rules laid over. A 99-1

(Item No. 55)
A 99-16

A 99-16 - REQUESTS THE ANNEXATION OF PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF 13TH STREET NORTH AND GREENWICH. (District II)

Agenda Report No. 99-262.

The property proposed for annexation is located at the southeast corner of 13th Street North and Greenwich. Kiser Gateway LLC et al request annexation of approximately 58.6 acres of undeveloped land that is proposed to be developed with retail and commercial uses through the creation of The Gateway Center CUP.

Land Use and Zoning: The site consists of one unplatted tract of land that is undeveloped and abuts the City to the north and east. The current zoning of the site is ALC@ Limited Commercial (8.3 acres) and ASF-20@ Single Family Residential (50.3 acres); however, a request for zoning change (from ASF-20" Single Family Residential to ALC@ Limited Commercial) for 50.3 acres has been submitted. The area to the north is vacant but is zoned ALC@ Limited Commercial and ASF-6@ Single Family Residential and is proposed for commercial uses and a church/residential development. The area to the south is zoned ASF-20@ Single Family Residential and is vacant with no known development proposals. The area to the east across K-96 Highway is zoned ASF-6@ Single Family Residential is developed with single family residential properties. The area to the west is zoned ALC@ Limited Commercial and ASF-20@ Single Family Residential and is vacant with no known development proposals.

Public Services: The site is located within the Four Mile Creek sewer system, and sewer service will be provided to the site by Sedgwick County. The City Water and Sewer Department indicates that there is an existing 16 inch water main along Greenwich which terminates about one-half mile south of the site. When the property is ready to be developed, the 16 inch water main will most likely be extended along Greenwich to the site.

COUNCIL PROCEEDINGS

The property owner will pay a portion of the cost of the water main extension, and the City will cover the cost of over-sizing above an eight (8) inch line.

Street System: The area proposed for annexation has direct access to 13th Street North, a two-lane improved section line road that is scheduled to be widened to four lanes in 1999 by Sedgwick County. The site also has direct access to Greenwich, a two-lane improved section line road. The site can also access K-96 Highway via the 13th Street interchange.

Public Safety: The Wichita Fire Department can serve this site with a five (5) to six (6) minute response time from Station #18 located at 2808 North Webb Road. Fire protection can also be provided to the site by Sedgwick County through the first responder agreement with a five (5) to six (6) minute response time from Station #38 located at 1010 North 143rd Street East. Police protection will be provided to the area by the Patrol East Bureau of the Wichita Police Department, headquartered at 350 South Edgemoor (Kellogg and Edgemoor).

COUNCIL PROCEEDINGS

Urban Growth Area & Policy 32: This property is located within the urban growth area of the City of Wichita as shown in the 1996 amended Wichita-Sedgwick County Comprehensive Plan. The property also is located within the Policy 32 urban growth/service area.

The property proposed for annexation is currently vacant farmland with no improvements. The total appraised value of the property is \$10,970; the assessed value (30%) of the property totals \$3,291. Therefore, at the current City levy (\$31.253/\$1000 x assessed valuation), this roughly yields \$103 in City annual tax revenues for the undeveloped property.

According to the information submitted with the request for annexation, the value of future commercial development at the site is not known. However, assuming the site develops with commercial property of a similar value as other property in the area, Staff estimates that the property would yield approximately \$380,000 in annual tax revenue (at the current City levy) when the site is fully developed.

The estimated over-sizing (at-large) cost of extending a 16 inch water main along Greenwich to 13th Street North is approximately \$120,000.

Motion --
-- carried

Knight moved that the annexation request be approved and the annexation Ordinance be placed on first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto, introduced and under the rules laid over. A 99-16

EXECUTIVE SESSION

Motion --

Knight moved that the City Council recess into executive session to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to pending and potential litigation, and legal advice; preliminary discussions relating to the acquisition of real property for public purposes; and confidential data relating to the financial affairs or trade secrets of a business; and the Council return at 1:00 p.m. Motion carried 7 to 0.

-- carried

RECESS

The City Council recessed at 12:05 p.m. and reconvened at 1:20 p.m.

Mayor Knight announced that no action was necessary as a result of the executive session.

ADJOURNMENT

The City Council meeting adjourned at 1:20 p.m.

Pat Burnett
City Clerk